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1 EASTERN INTERIOR REGIONAL ADVISORY COUNCIL
2 PUBLIC MEETING
3 Tanana Community Hall
4 Tanana, Alaska
5 February 5, 1997 - 9:00 a.m.
6 VOLUME II

7 COUNCIL MEMBERS PRESENT:
8 Craig Fleener, Chairman
9 Philip J. Titus
10 Nathaniel Good
11 Steve E. Ginnis
12 John A. Starr, Jr.
13 Timothy Sam
14 Randy A. Mayo
15 Charles P. Miller, Sr.
16 Vince Mathews, Coordinator

P R O C E E D I N G S

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3 CHAIRMAN FLEENER: I'd like to call the meeting back to
4 order, please. Okay. We're on Item 10 on the agenda, new
5 business, National Park Subsistence Resource Commission's
6 Appointment, Wrangell-St. Elias, Frank Entsminger. You're the
7 next item up for bid.

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9

10 MR. ENTSMINGER: Good morning Chair, members of the
11 Council and Staff and public. My name's Frank Entsminger. I'm
12 the Council's representative to the Wrangell-St. Elias National
13 Park and Preserve. As you've heard yesterday the SRC is
14 composed of a nine member group, three State appointees, three
15 appointees, one from the various Councils, Eastern Interior,
16 Southcentral and Southeastern. Then also the Secretary of
17 Interior has three appointments. At present there are eight
18 members. There was one person that resigned, but I just heard
19 this morning that the ninth seat has been filled. But
20 basically there's five members from the Southcentral area, two
21 from the Southeastern area and myself from the Eastern Interior
22 that represent the people. And basically the SRC's duty or
23 commission is to protect the subsistence users hunting rights
24 in the park. We have a lot of pressures from both Park Service
25 and then other entities from the Lower 48. It seems like
26 things keep wanting to get more and more restrictive. We have
27 to really push back hard the other direction in order to
28 maintain the hunting privileges that we have down there. It's
29 a constant battle to keep what we have in place and also try to
30 reestablish people's use -- that used to be able to use the
31 park, but because of regulation now cannot.

31

32 And basically the proposals that are in your proposal
33 packets dealing with Upper Tanana area which effects our
34 hunting privileges in Southcentral. The SRC went through those
35 proposals. They looked at it as kind of a housecleaning
36 proposals because a lot of these proposals have been on the
37 books for years, you know, eight and 10 years, while the system
38 has been getting in place. And finally the Federal Subsistence
39 Board is getting around to making these c&t determinations so
40 -- I mean there were a few of them that were just, you know,
41 outdated, other ones were kind of incomplete. So we basically
42 amended -- we went through the proposals that pertain to
43 Wrangell-St. Elias and amended to include the villages in the
44 Upper Tanana area that we're trying to get in as resident zone
45 communities and also all the other resident zone communities
46 that can right now hunt the park. We tried to amend it to
47 encompass all of the people that will be legitimate users, you
48 know, now and hopefully in the future of the Wrangell park.
49 And it was the SRC's feeling that, you know, there's been

50 enough division within the subsistence issue to start with, we

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1 didn't want anymore or as little division as possible as far as
2 user people of the park. So basically we made determinations
3 by GMUs because that's kind of the system that's in place now.
4 It seems like it takes an Act of Congress to change, you know,
5 the way the system is working. So we just went by GMUs. And
6 people within GMUs can hunt animals in other GMUs. And you
7 know, basically what we did, Upper Tanana, which is primarily
8 in Unit 12, although Dot Lake is 20(D), but we tried to
9 encompass Unit 12 and then the adjacent units, 11, 13, which
10 pertains to the park area down there.

11
12 I don't -- I'm sure Vince has got a copy of the SRC's
13 recommendations for the amended proposals, which you know, you
14 guys may or may not want to take a look at. Also Chuck Miller
15 kind of give a little report, the Staff got together, Chuck and
16 Fred John, Jr. and Roy Ewan from Southcentral and they
17 basically had a meeting and discussed, you know, the issues
18 there. And I noticed that they've got a paper written up on
19 that and they made recommendations on how they feel that maybe
20 some of the c&t's should be utilized or what people should have
21 the c&t's and so on and so forth. You know, our SRC just tried
22 to keep it as simple and as least complex as possible and
23 that's basically why we amended the proposals as we did.

24
25 There -- you know, a lot of the things that seem simple
26 on the surface, when you start probing into them they're not
27 really that simple. And one of the big problems for the actual
28 harvesting of Wrangell-St. Elias is access down there. There's
29 just a limit -- a very limited amount of access. There's
30 basically like two major roads, the Nabesna Road on the north
31 side that runs fairly parallel with the park and then the
32 Chitna-McCarthy Road which is right in the central portion of
33 the park. And there are a few trails that break -- you know,
34 branch off from these major roads. And Park Service, even
35 though, you know, the subsistence user can technically use
36 these trails and all, we cannot make any new trails. We have
37 to stay with the designated trails that are already established
38 in the park. They don't want us getting off any of those
39 trails. There's absolutely no aircraft usage to access any of
40 the park for purposes of subsistence. And I noticed in the
41 little summary that they did for the meeting with Fred John and
42 Roy Ewan and Chuck that they make some mention of Tok using
43 aircraft to access the park. Well, I mean this was probably a
44 misunderstanding, but there's absolutely no aircraft use.
45 There are just a few minor exceptions. When the park was first
46 started, Yakutat was allowed to cross Yakutat Bay and people
47 were allowed to hunt portions of Icy Bay for mountain goats and
48 what not and they issued special permits for aircraft for about
49 one or two years at the beginning of the park and since then

50 that's even been restricted. The members from Yakutat tell us

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1 that they no longer can use any aircraft use, you know, down on
2 that area. And they run their ATVs and what not on the beach
3 lines down there and Park Service is giving them a bad time
4 about, you know, driving up into the beach grass and anything
5 that's off the main beach, you know, to access hunting down
6 there. I mean it basically is a very restrictive environment,
7 so the SRC wants to keep as many and much opportunity open as
8 possible. You know, we don't want anymore restrictions. And
9 as far as the way we looked at it -- the different villages and
10 what not, if we made to where like one village could just hunt
11 to a certain portion of the park and then the next village
12 could hunt another section of the park, you get into the
13 problems of, you know, there's a lot of different village
14 members that are related, they're interrelated, there's a lot
15 of friendships, that type of thing. As one person -- one
16 public testified here, there's a fellow here that does have a
17 1344 to use Denali, but he can't take a friend because he can't
18 use the park and they're very restrictive. I mean if you are
19 not an authorized subsistence user in that park, I mean they
20 will disallow it.

21
22 And at the beginning of the park it was, you know, the
23 enforcement was a little lax, they kind of overlooked a few
24 things. But now as time has gone by, we're getting into some
25 real major problems with enforcement down there because now
26 they're looking at the letter of the law. And, you know, if
27 it's not written down in the regulation that a community is a
28 resident zone community to hunt down there, they'll give you a
29 ticket. If you go down there and shoot a moose or something,
30 they'll give you a ticket. There was an individual -- a Native
31 individual in Northway that was cited for shooting a moose
32 along the Nabesna Road, I mean she didn't even realize she was
33 hunting in the park or couldn't hunt in the park. And, you
34 know, a park officer was down there and found her with a moose
35 and he had to go back and check with the main ranger to find
36 out if she was legal to hunt there. And after finding out that
37 she was not legal, she was given a citation. You know, other
38 residents of Upper Tanana that, you know, hunted down there,
39 you know, now they're enforcing and they're no longer letting
40 anything go unnoticed. So it's just -- you know, it's kind of
41 a c&t nightmare the SRC was just basically trying to cleanup.

42
43 And I -- you know, in my way of thinking, the only way
44 that we're going to get things done and people get their
45 rightful c&t designations is, you know, everybody have a united
46 front and recommendations into the Federal Board. You know,
47 the local advisory committee has submitted an amended proposal
48 to present to the Board. You know, the SRC has made similar
49 recommendations to present to the Board. Basically I'm

50 soliciting the Eastern Interior Council to, you know, backup

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1 our recommendations and give them a strong message that, you
2 know, you support the recommendations and hopefully we can get
3 some of these positive c&t's in place like they should be and
4 people can get on with their hunting. Because there's a lot of
5 other issues that the SRC's would like to address, but this c&t
6 eligibility thing has been a constant stumbling block. We've
7 been working on it for years and you know, we'd like to get it
8 resolved and get it behind us and go on to other issues.

9
10 CHAIRMAN FLEENER: Let me ask you a question, Frank.
11 The motion that Steve wanted to make yesterday to support Vince
12 looking for ways that you guys could get more power or be
13 empowered somehow or that they would be compelled to listen to
14 your suggestions a little bit closer, do you think that would
15 be effective or do you see any use in us doing that?

16
17 MR. ENTSMINGER: Basically, you know, I don't know what
18 the legalities or how much, you know, empowerment the SRC's can
19 get, but I really feel that just a letter of support from the
20 Council here would carry a lot of weight at the Federal Board
21 level. And you know, basically there's a good representation
22 on that SRC, you know, most of the people are from Southcentral
23 because that's where most of the park is physically located.
24 There's the two individuals from Southeastern and then only
25 myself and Eastern Interior trying to fight for people's
26 hunting rights down there. But, you know, basically the people
27 know the issues and we know the problems and we're just like
28 you guys. You know, if you come up to a situation where you
29 don't -- where you're not familiar with a certain section of
30 the country, you don't know what the local people are thinking
31 there, we try to hold off on making the decision until enough
32 information and input from the people come in before we make a
33 decision on it.

34
35 CHAIRMAN FLEENER: Do you feel you have a good working
36 relationship with the communities that you represent?

37
38 MR. ENTSMINGER: I'm -- yes, I do. I've made a really
39 concerted effort to work with all the Upper Tanana communities.
40 You know, there is a bone of contention because Tok is
41 predominately white, but there's probably about at least a 30
42 percent Native population there. We have a -- you know, some
43 of the meetings are local advisory committee meetings held in
44 Tok, but I always have a standing invitation for villages if
45 they have anything that they want to discuss in their villages,
46 we try to set some of the meetings up in the various village
47 communities. In fact, our February meeting is setup for
48 Tanacross right now. Tanacross has been very active in the
49 local AC's and also Dot Lake in the past has been real good

50 about participating. Some of the villages -- Tetlin is a

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1 little remote, it's -- you can only get in there in the winter
2 time. Sometimes we have a little lack of communication with
3 some of the villages, but it's a constant effort to try to
4 improve communications and find out what the village councils
5 are thinking. I try to work closely with Rose Issac, who is
6 the member of TCC. I don't know her exact title, but she works
7 in the Tok office for Tanana Chiefs Conference. So, you know,
8 I'm trying to make every effort that I can to work with the
9 villages and the communities in our area.

10

11 CHAIRMAN FLEENER: The two things you're looking for
12 from us then is a motion for your reappointment and a letter of
13 support for the SRC's?

14

15 MR. ENTSMINGER: That's correct. I am very interested
16 in continuing my interest in the Wrangell SRC. Even before I
17 was appointed, I went to almost all of their meetings. Most of
18 the meetings were held in Glennallen because that's kind of a
19 central location. Once in a while they'll have a meeting in
20 Yakutat and we have had them in Northway and in Tok, but most
21 are in Glennallen. And, you know, even if I don't get my
22 reappointment, I will certainly continue going to the meetings
23 and try and keep abreast of what's going on down there.

24

25 To me -- I was one of the fortunate people, I live in
26 southern 12 and I was one of the few people that didn't get
27 completely X'd out of the park when the State went through
28 their c&t determinations. My family can legally hunt sheep and
29 black bear in the park. That's the only two species we can
30 hunt. But at least it's allowed, my continuation of hunting
31 down there. And I feel that ANILCA setup these Federal lands
32 -- the Federal government is saying that you people are
33 supposed to be able to hunt here, you're supposed to be
34 guaranteed rights to hunt here and I want to make sure that
35 they follow-up with their word. NPS has another complete layer
36 of bureaucracy over top of what ANILCA says. And depending on
37 how their policy, how the park policy is formed, it can make a
38 tremendous impact on the hunting down in these areas. And I
39 think the record will show that I've pushed real hard, you
40 know, we have the environmentalists and sometimes NPS itself
41 pushing to get us out and I try really hard to keep all of the
42 opportunities open for as many legitimate people who have right
43 to hunt there as possible and I want to continue that effort.

44

45 CHAIRMAN FLEENER: Philip.

46

47 MR. TITUS: In these areas that X out the people, who
48 -- they're X'd out of hunting and fishing or what are they X'd
49 out at? Is that the local Native people?

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1 MR. ENTSMINGER: Yes. Yeah, that's correct.

2

3 MR. TITUS: How come the Native people are X'd out on
4 the land they got -- that harvest their subsistence resources
5 on? What is -- is there an explanation for that?

6

7 MR. ENTSMINGER: The only explanation I can give is
8 that initially when the parks were created, when Congress set
9 these special use areas up and when the people -- when it came
10 down to the general people, the general public, a lot of the
11 Native communities were not aware of that. And especially in
12 Upper Tanana, peoples that had used that portion of the park,
13 they didn't even realize they were being X'd out, so they
14 didn't raise up in arms and say, hey, wait I -- you know, we
15 hunted down there, we should be rightful users. They didn't do
16 that. And it took some time before it was realized.

17

18 MR. TITUS: That's not my question. My question is why
19 are they X'd out on the areas that they use for subsistence
20 resources? Don't they have a right to that?

21

22 MR. ENTSMINGER: Oh, absolutely.

23

24 MR. TITUS: I mean if there is a job there, you know,
25 that -- that white guy will come and demand that job and that's
26 a job right there that -- subsistence living is a job. You
27 don't see no monetary value on it like you see a perfect life.
28 Our history is that we lived off subsistence and there ain't no
29 way that anybody could X out land from Native people to harvest
30 their resources on. You're going against history. And if you
31 want to rewrite the -- if you want to X out the rules and
32 regulations for living in the parks and wherever, you got to --
33 there's the documentation that we've been here for millions of
34 years and that's where it's coming down to and that's the true
35 facts. And there ain't no other -- there ain't no other person
36 that could come and change it.

37

38 MR. ENTSMINGER: I realize that and that's what we're
39 trying to correct. And in fact, the SRC has been pushing
40 really hard to get all the rightful communities, these Upper
41 Tanana communities to be resident zone communities to hunt the
42 park. And in fact, because of the SRC's urging, the Park
43 Service is now going to formulate a method to get these people
44 included. They're going to put out a proposed rule or proposed
45 regulation for comment, public comment and hopefully in a years
46 time or so these people will be eligible to hunt again.

47

48 But in a park situation, you have to be deemed a local,
49 rural resident user plus you have to have the positive c&t and

50 then you have to be a resident zone community. There's always

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1 layers that you have to -- all these hoops you have to jump
2 through.

3
4 MR. TITUS: I understand it. I'm just saying what
5 we've been discussing the last few days, the statement I made
6 is my own statement. For the national park you guys could lift
7 that ban tomorrow just to get your pin, that's all you want.
8 You want us to live by what you write down and you say this is
9 how you guys got to live, but that's wrong. My history might
10 not be documented, but the fact that I'm sitting here talking
11 to you is history enough because I was raised on subsistence
12 long before there was anybody else in this world. Because our
13 stories come from that -- the world was created and our Native
14 culture.

15
16 MR. ENTSMINGER: Well, that's correct. And a lot of
17 the Native villages it's oral history and you know, nobody's
18 going to refute that.

19
20 MR. TITUS: Well, it's time to make it a fact that the
21 parks and other people will let us live as we've been living
22 for years.

23
24 CHAIRMAN FLEENER: Then I think then what we need to do
25 then, if we agree, that we support what Mr. Entsminger's doing
26 and we support what the SRC's are doing in trying to create
27 more opportunity for subsistence users and we should make a
28 motion for a letter of support and maybe his reappointment if
29 the Council so wishes.

30
31 MR. MAYO: Mr. Chairman?

32
33 CHAIRMAN FLEENER: Yes.

34
35 MR. MAYO: Yeah. I came in kind of late, but I heard
36 one of your concerns was kind of the restrictions placed by the
37 Park Service on peoples down that way. And you mentioned
38 access, you know, airplanes, you know. To me, like if you can
39 afford an airplane and can afford to fly around in, you don't
40 need to be a subsistence user, you know, you must make a pretty
41 good living to afford that kind of a machine, you know. So how
42 many of the local subsistence users own airplanes, you know. I
43 don't own one, you know.

44
45 MR. ENTSMINGER: You know, actually airplane access to
46 the park down there is almost a moot point now. Because
47 originally some of the people wanted to have continued use with
48 an aircraft. But -- and in fact, the commission sent letters
49 to the Secretary of the Interior stating that they wanted to be

50 able to use airplanes, but it has been repeatedly denied. And

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1 the people have come to live with that decision and they are --
2 they have developed other means to access these areas and in
3 fact, some of the areas that used to be accessed with an
4 airplane are now being used -- accessed by boat, river boat or
5 rubber rafts with motors. But that's what I'm saying, the
6 access is so limited that we don't want anymore -- we don't
7 want any further restrictions on access and especially if
8 there's just a few places that you can get in to harvest the
9 game. We don't want them closed off.

10

11 MR. GINNIS: Mr. Chairman?

12

13 CHAIRMAN FLEENER: Go ahead, Steve.

14

15 MR. GINNIS: I guess I'm a little concerned about what
16 you said earlier that some folks have been X'd out, you know,
17 out of the use of that area. As a member of the SRC.....

18

19 COURT REPORTER: Microphone.

20

21 MR. GINNIS: Anyways -- what the hell was I saying, oh,
22 X'd out of the area, I was just curious as a member of the SRC,
23 what have you been doing to try to ensure that these user
24 groups have an opportunity to, you know, use the area? You
25 know, I understand that there's several steps like you said
26 that need to be followed up on and one is resident zone status,
27 the other c&t determinations. But I'm just curious as to what
28 have you been doing advocating on behalf of those villages in
29 that area to continue to be able to use this -- the resources
30 in that area there?

31

32 MR. ENTSMINGER: Yeah, Steve, ever since I've been
33 appointed to the SRC, I've been a strong advocate to include
34 all of these communities in the resident zones that were
35 inadvertently left out from the beginning. And myself, I'm
36 also the chairman of the Upper Tanana local advisory committee.
37 We've tried to keep our area as an area. We're trying not to
38 make all these segregation. We're trying to keep Upper Tanana
39 usage as a whole. We try to include all of these five
40 communities -- six communities in the park. We've actually
41 even asked for Healy Lake's usage in the park. But, you know,
42 they said because of -- they've already started on Northway,
43 Tetlin, Dot Lake, Tanacross, they can't right now -- it would
44 slow up these other community's progress to get usage of the
45 park. At this time they can't include Healy Lake. They're not
46 closing the door to Healy Lake, but we're going to have to ask
47 for it at a later date. And at every meeting, we've been
48 pushing hard to get these communities included. We've written
49 letters to the Secretary of Interior. If you go back in the

50 minutes, the SRC, almost ever since the inception we've tried

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1 to include Northway and then eventually Dot Lake, Tanacross, so
2 on and so forth.

3

4 MR. GINNIS: Well, what's been the problem then? I
5 mean what's.....

6

7 MR. ENTSMINGER: The problem.....

8

9 MR. GINNIS:been the problem of trying to get
10 those communities established as resident -- or -- yeah, I
11 guess as resident zone status.

12

13 MR. ENTSMINGER: Well, you have all these outside
14 interest groups, like the Sierra Club and all these do-gooder
15 organizations in the Lower 48. That -- they don't want any
16 hunting in the park, they would just as soon everybody be out
17 of there and the only thing you could do is look at the park.
18 But there's pressures from Washington. And apparently there
19 were actually people working within the Park Service in
20 Anchorage that we would write a letter to the Secretary, the
21 Secretary would look at the letter, he would hand it to Park
22 Service, it would go back down the chain of command, end up in
23 the Anchorage office and then it would get vetoed.

24

25 MR. TITUS: The land don't belong to the park, it
26 belongs to the subsistence users who have priority right. The
27 park people should be asking the subsistence users if they
28 could borrow the land for a park, not the system you're talking
29 about.

30

31 MR. ENTSMINGER: That's correct. I understand there's
32 a change of administration and there's a more favorable change
33 -- a little bit more liberal way that the Park Service is
34 looking at handling the subsistence issues in the park. And
35 I've been assured by our local Park Service people and most of
36 the local people that we work with in the Park Service have
37 been real good. The superintendent there now, he's got a
38 really good mind set. He realizes that these Alaskan parks are
39 not to be managed the same way as Lower 48 parks and we've
40 actually got Park Service working with us now. They're trying
41 to help us. They're trying to get all the people included that
42 should be hunting there hunting. And I think right now is --
43 if the Councils can recommend to the Board that these c&t uses
44 should be granted and that these communities should be included
45 in the park, I think it will go a long ways. I think it will
46 correct the problem. But now is a critical time.

47

48 MR. GINNIS: But that's not the kind of recommendation
49 we're hearing though, at last, since I've been here in this

50 meeting. I haven't heard any recommendation about how to

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1 address this issue. I mean I think that there's some c&t's in
2 here, right, regarding that area you're talking about?

3
4 MR. ENTSMINGER: Yes.

5
6 MR. GINNIS: Now, I don't know, I haven't looked at
7 what it says, but if this Council supports these proposals as
8 they're presented, what -- would that help to.....

9
10 MR. ENTSMINGER: That would be one step, Steve, it
11 would.

12
13 MR. GINNIS: It's just a one step.....

14
15 MR. ENTSMINGER: Well, I guess, basically there's two
16 criteria for subsistence users to hunt the park. First they
17 have to have a c&t and then they have to be in the resident
18 zone, they have to be designated as a resident zone community.
19 Now, there's other -- there's some minor exceptions, you can
20 get a 1344 and all that. But that -- nobody wants to go down
21 and fill out a permit and all the paperwork to be able to use
22 the park, especially the Native people. They don't like the
23 rules and regulations and all that, so we're trying to keep it
24 on a community based situation.

25
26 The Federal Staff has said that they are making a
27 proposed rule to include Northway, Tetlin, Dot Lake, Tanacross
28 as resident zone communities. That -- it's difficult to
29 understand, but that's one of the rules that they're going to
30 try to get passed into law.

31
32 MR. GINNIS: No, I don't have a difficult time
33 understanding it. It just seems to be one massive frustration.
34 It must be a real massive frustration for those Native people
35 in that area.

36
37 MR. ENTSMINGER: We've been working.....

38
39 MR. GINNIS: I mean I would be very frustrated to have
40 to go through all those loops just to go hunting, okay. But in
41 any case, how long does this process take? I mean in order for
42 those people to legally be able to hunt in that area, what kind
43 of time line are you talking about, the next five years from
44 now?

45
46 MR. ENTSMINGER: I hope not. I hope it's to the point
47 now that we can get it within a year or two.

48
49 MR. GINNIS: Oh, even that is too long.

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1 MR. ENTSMINGER: Oh, absolutely, it is. But I think if
2 the correct recommendations are made to the Federal Board and
3 then the Board acts on it, I think it could be in law by this
4 coming hunting season, 1997 hunting season.

5
6 CHAIRMAN FLEENER: Nat.

7
8 MR. GOOD: Now where we are here, we have the proposals
9 before us, we pass the proposal and I'm assuming we will, they
10 go then to you and when is your next meeting?

11
12 MR. ENTSMINGER: Our next meeting is going to be, I
13 believe the 25th and 26th of the month, February.

14
15 MR. GOOD: So it will be beyond us and beyond you, then
16 it's basically Park Service, is that.....

17
18 MR. ENTSMINGER: No, Federal -- well, for part of it
19 it's for the Federal Subsistence Board.....

20
21 MR. GOOD: Okay.

22
23 MR. ENTSMINGER:to grant these c&t
24 determinations.

25
26 MR. GOOD: Now, how does -- I get a little confused by
27 the interface here. Between Park Service and Federal
28 Subsistence Board, they -- does one take priority over the
29 other?

30
31 MR. ENTSMINGER: Between Park Service and the Federal
32 Board?

33
34 MR. GOOD: Yeah. Maybe I'm asking something.....

35
36 MR. ENTSMINGER: The Staff would know. Actually the
37 Federal Staff, they have their Staff analysis, they will
38 recommend to the Board what they think should be done. The SRC
39 -- it's usually a more liberal interpretation of what they
40 think should be done. Like I say, you know, Park Service is
41 probably a little more restrictive than the SRC. You know,
42 we're trying to keep as much opportunity open as possible.
43 Even Park Service, because of going back into the records and
44 chronological time and all that type of thing, they figure, you
45 know, most of those.....

46
47 MR. TITUS: Could I cut in?

48
49 MR. ENTSMINGER: Yes, fine.

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1 MR. TITUS: I already said the history has been there
2 for years and years.....

3
4 MR. ENTSMINGER: Yes, exactly.
5

6 MR. TITUS:just go get it. And I make a motion
7 that we support any action they take to get these Natives their
8 rights to utilize the land that the resource is producing?
9

10 MR. GOOD: I'll second that.
11

12 CHAIRMAN FLEENER: There's a motion and a second by
13 Nat. Did you get that Vince?
14

15 MR. MATHEWS: Whatever action it takes to get to
16 utilize the park.
17

18 MR. TITUS: Return them their rights to use the land.
19

20 MR. ENTSMINGER: Exactly.
21

22 MR. TITUS: It's theirs.
23

24 CHAIRMAN FLEENER: Discussion? Go ahead John.
25

26 MR. STARR: You know this -- like he said, they are
27 talking to the people out there and (indiscernible) taking over
28 the Federal -- takeover on Federal lands. They don't
29 understand that we got a different lifestyle up there and the
30 weather is different. So like I said, this is really in this
31 Tok -- like I said before, they weren't just put there, you
32 know, during the gold rush or -- they were picked for a certain
33 reason, this was their livelihood, every village on the highway
34 there.
35

36 CHAIRMAN FLEENER: Okay. We have a motion. Is there
37 anymore discussion? Vince?
38

39 MR. MATHEWS: Mr. Chairman, I just want to confirm with
40 you that the Park Service will bring that draft proposed rule
41 before this Council, I believe it will be fall, next fall that
42 it should be ready to go; is that correct, for adding the three
43 communities of Tetlin, Northway and -- Bruce can bring it up,
44 but it's going to be back this fall.
45

46 MR. GREENWOOD: I'll clarify that, what Vince is
47 saying. I think that they're looking at fall, but there's no
48 guarantee it will be completed by fall.
49

CHAIRMAN FLEENER: Okay. Maybe we can get through this

50 motion to support the SRC's and that sort of thing before we --

00173

1 you guys can continue that discussion afterwards. Do you have
2 discussion on the motion?

3

4 MR. SAM: Yeah, I have some comments to make. The
5 Native people should have right to hunt in that national park
6 because they were there before this national park, the word,
7 came in and take it. I can't recall the year, but when wolf
8 are being taken -- no, this was a big issue throughout the
9 United States and there are environmentalist groups that were
10 against the wolf taking by snare and things like that. And it
11 seems like we can't make decision for ourselves, Alaska as a
12 whole, the Lower 48 in the most case makes decision for us. We
13 as a, you know, community in the surrounding area in the State
14 of Alaska get together and I think we can make our own rule
15 rather than somebody down in the Lower 48 for this.

16

17 Now, we seen that just recently, we're fighting the
18 case with Federal government about Red Sheep Creek.

19

20 CHAIRMAN FLEENER: Maybe we can -- you can have time to
21 discuss that a little later if you want.

22

23 MR. SAM: Okay.

24

25 CHAIRMAN FLEENER: Maybe we can go ahead and finish on
26 this motion.

27

28 MR. GINNIS: Mr. Chairman?

29

30 CHAIRMAN FLEENER: Yes, Steve.

31

32 MR. GINNIS: Frank, I just want to ask you one
33 question. It seems that there's a lot of bureaucracy for these
34 Native communities to try to establish themselves to use the
35 area. Now, do you have any ideas about how that could be
36 simplified or any suggestions maybe? Maybe that's what we
37 ought to concentrate on, you know, is the -- all the
38 regulations and all these loops people have to go through just
39 to get to hunt in that area. Now, up in the Yukon Flats, I
40 certainly don't have to go through a bunch of loops to go
41 hunting, I just get in the boat and take off and, you know, go
42 wherever I'm going, you know. But it seems to me like in the
43 Park Service you got all these layers of bureaucracy in getting
44 resident zone status, getting positive c&t determinations and
45 on and on like that before they can use it. Now, why can't
46 they just simply use past people's use of the area as
47 documentation that you could go proceed with it? I mean, you
48 know, it just seems to be -- it's just a layer of bureaucracy,
49 now, I can see why those Native communities -- they're having a

50 real difficult time trying to work this issue out.

00174

1 CHAIRMAN FLEENER: I think we should get to the motion
2 before he addresses those concerns because those aren't really
3 in line with supporting the motion of the letter of support for
4 the SRC's.

5
6 MR. GINNIS: Well, I don't think that was his motion.
7 His motion was to get those communities rightfully -- to use
8 that area. And I'm asking a question related to that motion.

9
10 CHAIRMAN FLEENER: All right. Go ahead then. Can you
11 reread the motion so there's no confusion.

12
13 MR. MATHEWS: Sure. The motion that I captured was to
14 support any action to get Native rights to the land and the
15 land meant the Park Service lands.

16
17 CHAIRMAN FLEENER: Okay, go ahead then.

18
19 MR. ENTSMINGER: Yes, Steve, unfortunately I don't know
20 of any simpler way at this time. I mean all this rulemaking
21 and everything is in place and there doesn't seem to be any way
22 around it. We've tried everything but -- every method we know
23 how so far and -- but it seems that the flavor is right right
24 now if -- you know, if we act on these recommendations, I think
25 it will go a long ways.

26
27 CHAIRMAN FLEENER: Anymore discussion?

28
29 MR. GINNIS: Yes, I understand.

30
31 MR. MAYO: Question.

32
33 CHAIRMAN FLEENER: Question's been called. All in
34 favor of the motion signify by saying aye.

35
36 IN UNISON: Aye.

37
38 CHAIRMAN FLEENER: All opposed same sign.

39
40 (No opposing votes)

41
42 CHAIRMAN FLEENER: Motion carries.

43
44 MR. GOOD: Mr. Chairman?

45
46 CHAIRMAN FLEENER: Yes, Nat.

47
48 MR. GOOD: I move that we write the letter of support
49 for the SRC committee for -- well, actually both the SRC

50 committees that we're involved with, the Wrangell-St. Elias and

00175

1 Denali.

2

3 CHAIRMAN FLEENER: Okay. There's a motion on the
4 floor, is there a second?

5

6 MR. GINNIS: Second.

7

8 CHAIRMAN FLEENER: Second by Steve. Is there
9 discussion?

10

11 MR. TITUS: I would like to backup the statement I made
12 about the Natives being returned their rights -- be sent back
13 to the communities up there to protect them and whatever's
14 happening to them that we discussed this action at this meeting
15 on their behalf.

16

17 CHAIRMAN FLEENER: Did you capture that Vince?

18

19 MR. MATHEWS: If I understood that the motion would be
20 then to have a letter of support to Wrangell and Denali SRC and
21 that that information be shared with the communities effected;
22 is that correct?

23

24 MR. TITUS: Yes.

25

26 MR. MATHEWS: Thank you.

27

28 CHAIRMAN FLEENER: Anymore discussion?

29

30 MR. STARR: Question.

31

32 CHAIRMAN FLEENER: The question's been called. All in
33 favor of the motion signify by saying aye.

34

35 IN UNISON: Aye.

36

37 CHAIRMAN FLEENER: All opposed same sign.

38

39 (No opposing votes)

40

41 CHAIRMAN FLEENER: Motion carries.

42

43 MR. ENTSMINGER: Mr. Chair, I think it would be real
44 important, too to send a copy of that letter to the Federal
45 Subsistence Board.

46

47 MR. MATHEWS: We can do that. We're getting into a
48 jurisdictional question. For informational purposes, I think
49 it's correct to do that. The Board has no authority over

50 SRC's, that's all I need to clarify.

00176

1 MR. ENTSMINGER: That's true, but it all seems like
2 it's intertwined. And for informational purposes I think it
3 would carry a lot of weight.

4
5 CHAIRMAN FLEENER: Okay, Frank. Go ahead Randy.

6
7 MR. MAYO: Yeah. I just wanted to make a comment here
8 that, you know, this advisory board here, we have to remember
9 it's just advisory and, you know, the tribal rights issue, you
10 know, this is the wrong forum here. You know, because this
11 board isn't exclusive to Natives only, you know, this board I'm
12 on and this is what I'm trying to explain, that it's a --
13 actually by me sitting on this board I'm accepting a lesser
14 position, you know. That's one of the reasons I'm going to get
15 off this board so -- you know, there are other avenues, you
16 know, that these tribal government in that area can take, you
17 know, to further their position. But you know, I understand
18 how the system works, you know.

19
20 CHAIRMAN FLEENER: Okay. I guess our final action
21 is.....

22
23 MR. GINNIS: Mr. Chairman?

24
25 CHAIRMAN FLEENER: Yes, Steve.

26
27 MR. GINNIS: Have we gone to the next item?

28
29 CHAIRMAN FLEENER: Well, we -- that's what I'm going to
30 do right now.

31
32 MR. GINNIS: Before you go on I just want to say
33 something. Vince, you just brought up an issue of
34 jurisdiction, you know, and I guess that really bothers me.
35 You know, as a Council here, we appoint this individual. And
36 as such, I think that that individual has to be accountable to
37 this board. And as such, I think we give -- we ought to be
38 given the flexibility to give this gentleman or whoever we
39 appoint our concerns, you know, so it really concerns me when
40 we start saying, well, you know, this is really out of our
41 jurisdiction, there's really nothing we can do about this and
42 all along with that. You know, it seems to be -- that is very
43 frustrating to have to deal with jurisdictional problems. And
44 I understand where you're coming from, I'm just making a point.
45 I just want to put it on the record. I'm not arguing with what
46 you're saying, I understand what you're saying. But the point
47 is that I think from my perspective, I mean we appoint this
48 individual, they ought to be accountable to us and if they have
49 certain recommendations above and beyond what the Park Service

50 says, then we ought to be able to deal with it, you know, as a

00177

1 Council and make our stand, collectively.

2

3 MR. MATHEWS: I just need to clarify that this is
4 within your jurisdiction. I was talking about that the Board
5 itself, the Federal Subsistence Board has no authority in this
6 area, that's all I meant. I did not mean you.

7

8 MR. GINNIS: I'm sorry, I misunderstood.

9

10 MR. MATHEWS: Okay. You have full authority to address
11 this, your concerns. Thank you.

12

13 CHAIRMAN FLEENER: Nat.

14

15 MR. GOOD: Just one comment, I wish there were more
16 people from Tanana, here, but for their purposes, you don't
17 represent them as an SRC member, we have another person that
18 does and I wish that person were here right now. But resident
19 zone community, I think is very important because if you can
20 get them identified and those people who live here can go into
21 the park by being residents and many families these days, you
22 don't draw a straight line between Native and white, because
23 we're mixed, you know and we're all family. If the people of
24 Tanana could have a little assistance here, I think they could
25 qualify as a resident zone community for Denali, rather than
26 having to individually go through reams and reams of paperwork
27 and level -- this would simplify it so much for them and maybe
28 you could just say something about that for people here.

29

30 MR. ENTSMINGER: I was thinking -- thank you. I was
31 thinking of that very same thing because, you know, apparently
32 these people have a historical right, you know, that they
33 should be included in Denali and there's no reason why they
34 shouldn't push for it because that's what these Federal lands
35 and the Federal government is saying that they're trying to do
36 for the people. So you know, we have to -- you know, we have
37 to make sure that they live up to what they're telling us. And
38 if it takes a little pushing from the communities, I really
39 encourage it.

40

41 MR. TITUS: Yeah, I think the people there to live off
42 the -- who use that resource and the parks and everybody else
43 is not God and I'd like to say that the representative from up
44 the highway is my brother and when subsistence -- we see eye-
45 to-eye. And I suggest we move on.

46

47 CHAIRMAN FLEENER: John.

48

49 MR. STARR: Mr. Chairman, when I first got on the board

50 and I can see they're getting more Congress on there, different

00178

1 agencies controlling Alaska and I asked them, what is the
2 reason the government's grabbing all the land and they said to
3 help subsistence hunters. Well, where is the -- and now we're
4 being regulated so bad by -- look at this picture and see all
5 the colors on there -- all the different agencies. And not
6 even explain to the people why their grabbing all this
7 different areas of land.

8

9 CHAIRMAN FLEENER: Okay. The next thing is Regional
10 Council.....

11

12 MR. GINNIS: Well, one more.

13

14 CHAIRMAN FLEENER: One more, okay.

15

16 MR. GINNIS: Mr. Chairman, there was just an issue
17 raised about whether Tanana residents have -- I mean I think
18 it's easy to document that they have historical use at the
19 Denali area. And Vince I guess, would it be appropriate to
20 make a motion directing the Park Service to include Tanana as a
21 resident zone -- for resident zone status? Would it be
22 appropriate to make a motion here directing the Park Service to
23 work with the community to establish that? I mean you're
24 always talking about jurisdictions of.....

25

26 MR. MATHEWS: Your motion, I would assume would be
27 appropriate to request that the Park Service.....

28

29 MR. GINNIS: Not request, but direct.

30

31 MR. MATHEWS:direct the Park Service to work
32 closer with Tanana. I'm not familiar with the process of what
33 the communities have to do on that, so that's why I was
34 deferring to one of the other Staff to say -- I don't know if
35 this has been done in the past, has Tanana applied, et cetera,
36 et cetera, so I don't know. But, yes, you could direct
37 them.....

38

39 MR. GINNIS: Well, it seems that somebody needs to meet
40 with them to start the process, that's what I'm trying to
41 address here.

42

43 CHAIRMAN FLEENER: Frank, go ahead.

44

45 MR. ENTSMINGER: I know for our area anyway, basically
46 what it takes to start the process is the community needs to
47 contact the Park Service somehow and express their concerns,
48 whether it's just a phone call or if the village council cares
49 to write a formal request or whatever, that's what got it going

50 in our area. And the people came to the SRC's and expressed

00179

1 their problem and then two entities then start asking the same
2 question and then usually Park Service will respond.

3
4 CHAIRMAN FLEENER: Well, it seems like a formal request
5 was made last night here in this forum, can we go from that or
6 do you have to have it on paper?

7
8 MR. ENTSMINGER: I don't think you probably would have
9 to have it on paper, but let me let Hollis speak to that for
10 Denali.

11
12 CHAIRMAN FLEENER: Go ahead, Hollis.

13
14 MR. TWITCHELL: Hollis Twitchell, Denali National Park.
15 The method that I would suggest you use is that you would
16 contact the subsistence resource commission for Denali and that
17 would be the initial place to start since they are the
18 recommending body for subsistence use in the park areas. So it
19 would be appropriate to write the commission inquiring as to
20 that.

21
22 CHAIRMAN FLEENER: I think with Steve's motion though,
23 part of what was behind it was what we heard, in that, some of
24 the requests the SRC's send up get run through the wringer and
25 then tossed in the trash. So it sounds like he was wanting to
26 make a motion that would go directly to you guys somehow
27 instead of the piece of paper running through the wringer and
28 going into the trash, maybe if it can be handed directly to you
29 guys and you could start some process right away. I don't
30 know.

31
32 MR. TWITCHELL: That's correct. I was going to follow-
33 up with, after -- at the same time that you write the letter to
34 the commission, you can copy that same letter to the
35 superintendent directly. And then it can be put on to the
36 agenda the next commission meeting which is coming up February
37 28th, this month. That would be the process that I would start
38 with and put it in that form.

39
40 CHAIRMAN FLEENER: Okay. So a letter from us then -- a
41 motion for us to submit a letter on this behalf would be
42 reasonable then?

43
44 MR. TWITCHELL: Certainly. You can communicate between
45 the commission or the superintendents on any issue that you
46 have.

47 CHAIRMAN FLEENER: Okay. Thanks.

48
49 MR. GINNIS: Now, I think there's a different

50 terminology in what he's saying, letter versus assistance,

00180

1 okay. I'm asking through my motion that these folks come out
2 here and assist this community in the process is what the
3 motion is all about. Just writing a letter and -- you know,
4 I'm asking that a letter and for assistance for this community.
5 If they're interested in this, I'm not sure if they are or not.
6 But it seems to be an issue that keeps coming up since I've
7 been in here. So I'm making a motion simply to ask you folks
8 to come out here and meet with these folks and startup the
9 process. I'm sure the hoops that have to be gone through need
10 to be communicated to people.

11

12 MR. GOOD: Is that your motion?

13

14 MR. GINNIS: No, I already did make a motion. I'm just
15 clarifying this.....

16

17 CHAIRMAN FLEENER: No, there was no motion made.

18

19 MR. GINNIS:discussion here. I've already made
20 that motion.

21

22 CHAIRMAN FLEENER: No, you asked Vince if you could
23 make the motion.

24

25 MR. GINNIS: Pardon me?

26

27 CHAIRMAN FLEENER: You asked Vince if it was feasible
28 to make that motion, you haven't made the motion yet.

29

30 MR. GINNIS: Oh, I didn't make a motion?

31

32 CHAIRMAN FLEENER: No.

33

34 MR. MATHEWS: No, and my back is telling me that you
35 did ask me that question.

36

37 MR. GINNIS: Well, I thought we were discussing my
38 motion.

39

40 CHAIRMAN FLEENER: No, we have no motion or no second.

41

42 MR. GINNIS: Okay. I'll move that the Park Service
43 assist the residents of Tanana to develop a resident zone
44 status for the Denali Park.

45

46 MR. TITUS: I second it.

47 CHAIRMAN FLEENER: There's been a motion and a second.
48 Is there any further discussion?

49

00181

1 CHAIRMAN FLEENER: The question's been called. All in
2 favor of the motion signify by saying aye.

3
4 IN UNISON: Aye.

5
6 CHAIRMAN FLEENER: All opposed same sign.

7
8 (No opposing votes)

9
10 CHAIRMAN FLEENER: Thank you. Now, let's get on this
11 agenda to this next item. Regional Council appointment. Is
12 there a motion to reappoint Frank Entsminger.

13
14 MR. GOOD: I so move, Mr. Chairman.

15
16 CHAIRMAN FLEENER: Okay. Nat makes the motion. Is
17 there a second?

18
19 MR. STARR: I'll second.

20
21 CHAIRMAN FLEENER: John Starr seconds the motion. Any
22 discussion?

23
24 MR. GINNIS: Question.

25
26 CHAIRMAN FLEENER: Question's been called. All in
27 favor of the motion signify by saying aye.

28
29 IN UNISON: Aye.

30
31 CHAIRMAN FLEENER: All opposed same sign.

32
33 (No opposing votes)

34
35 CHAIRMAN FLEENER: Motion passes.

36
37 MR. ENTSMINGER: Thank you, folks.

38
39 CHAIRMAN FLEENER: Welcome aboard.

40
41 MR. GINNIS: We'll see you at the next meeting.

42
43 MR. ENTSMINGER: I'll do the very best I can.

44
45 CHAIRMAN FLEENER: Yeah. You're going to come back to
46 our next meeting and give us another report?

47
48 MR. ENTSMINGER: You bet.

49

CHAIRMAN FLEENER: Thank you. Now, this -- go ahead,

00182

1 Vince.

2

3 MR. MATHEWS: Mr. Chairman, we still have an -- also
4 appoint on seat to the Denali Subsistence Resource Commission.
5 I think I'm going to let Hollis go through that. Your past
6 appointment has been Miki Collins from Lake Minchumina and we
7 have other material that will help you through that, but you do
8 have an appointment that you need to make.

9

10 MR. TWITCHELL: If it pleases the Chair I'd like to go
11 back and address a couple of the issues that were discussed
12 just previously about resident zones and eligibility before we
13 move on to the Council appointment to the commission.

14

15 CHAIRMAN FLEENER: If you can keep it kind of brief, I
16 think, maybe about three or four minutes.

17

18 MR. TWITCHELL: Okay.

19

20 CHAIRMAN FLEENER: Three minutes.

21

22 MR. TWITCHELL: All right.

23

24 MR. TITUS: Before you begin, I'd like to interject my
25 statement about our historical rights, do they have any kind of
26 -- it seems like on what I said, I mean it seemed like -- we
27 don't need you guys to tell us how we need it, what kind of
28 documentation, to get our rights. It's their right to use the
29 resource and the land and we don't have to give these papers to
30 get permission. Something's wrong. And I suggest it get
31 straightened out because paperwork is just ridiculous even
32 though we got our right -- historical right because we've been
33 here long before it was a national park, there was even
34 somebody born to make a national park and that's the history
35 you need. That's the true history, that's the true facts and
36 there's no -- everything else is false.

37

38 CHAIRMAN FLEENER: Thanks, Philip. Go ahead, Hollis.

39

40 MR. TWITCHELL: The Park Service works under the
41 direction of ANILCA. And ANILCA will specify how the agency an
42 and manage the area. The opportunity to engage in subsistence
43 is one of those opportunities that the Park Service is to
44 permit. In terms of who is eligible as a subsistence user,
45 Congress gives us direction in that as well and that being
46 local rural subsistence users. And how we go about identifying
47 who these local rural users are is done through the resident
48 zones and the individual permit systems. That comes as the
49 intend of Congress through the Senate report. So we are given

50 guidance on this program. It wasn't a program that the Park

00183

1 Service dreamed up on its own. So we're implementing what we
2 being Congress' intent and using that method.

3
4 With the resident zone process -- was done through a
5 regulatory action. The agency went around to different
6 communities in the early '80s gathering up information as to
7 where and which communities were in proximity or in the area to
8 the park and had a concentration of people who had used the
9 park resources in the past and had a dependence upon them.
10 Those communities were identified in rulemaking in 1981.
11 They're -- as we heard before, there were some communities that
12 were missed and.....

13
14 MR. TITUS: You came to ask us about a Regional Council
15 appointment, Denali? I would suggest that we appoint Paul
16 Starr, Sr. for whatever, Paul Starr to sit on that Council.

17
18 MR. TWITCHELL: Okay. We'll get to -- I'll get to that
19 in just a minute and we'll explain the process for
20 appointments. What I wanted to finish up saying is that
21 resident zones were established through regulatory action. In
22 order to add or to delete a resident zone it would take a
23 regulatory action to establish those. And that's the process
24 that Wrangell is going through with Northway, Tetlin and Dot
25 Lake. So it's possible to add a resident zone, but it will
26 need to go through rulemaking. And I just put that out to you.

27
28 And individuals who not.....

29
30 CHAIRMAN FLEENER: Let me ask one question, please.

31
32 MR. TWITCHELL: Yes.

33
34 CHAIRMAN FLEENER: Do you think that you guys could
35 submit a letter of some sort to those who you're responsible to
36 and let them know that the whole process, when they went about
37 making their first selections for these communities was flawed
38 because they really didn't -- apparently they didn't check with
39 other communities that might be using that area? This is part
40 of a pattern of flaw in the way that the Federal government
41 operates, is that when they don't want people to know about
42 things, they'll stick it in the Federal Register and they won't
43 go around telling all the people that might be involved like
44 this trapping issue that we're going to be discussing later.
45 You know, you stick it in some legislation and the people that
46 really need to know about it, these people that don't have a
47 subscription to the Federal Register will never find out about
48 it. So I think that it would be wise, I mean there's going to
49 be people knocking on your door all the time and the parks and

50 preserves aren't going to be anymore popular unless they start

00184

1 trying to help the people that have really used these lands. I
2 mean for the most part, people are just wanting to get back to
3 what they used to be doing, you know. And people are generally
4 dissatisfied that the land is chopped up in all these different
5 ways and then you've taken their rights away and then
6 furthermore you call us in-holders. I mean I'm not just
7 saying, you, but we're called in-holders. And that makes
8 people feel like trash from the bottom of a ground squirrel
9 hole. So I think the more participation on the Park Service
10 part to show the people that they're really interested in
11 helping would be a genuinely nice thing to do.

12

13 Go ahead, Hollis.

14

15 MR. TWITCHELL: And I will be happy to work with the
16 community and come to the communities if that's the wish. The
17 final point that I would like to make is that resident zones
18 were just one mechanism. Individual permits are still out
19 there, we have individual permits in other communities other
20 than our four resident zones. That process has been available
21 all along. At any time a person can come in and show their
22 past use and they could be eligible for a permit. So the idea
23 that people were totally excluded from these park lands is not
24 true. They could come and get a permit as undesirable as that
25 might be, but they were not excluded from national park areas
26 if they can show a person or family history of use, such as
27 Paul Starr has done. So that's -- it's important that you
28 understand that.

29

30 With that said, I'll move to the appointment to Denali
31 Subsistence Resource Commission. I'd like to point out to you
32 that in order for you to appoint someone to these councils,
33 that first of all they have to be a subsistence user of the
34 park area in question. And secondly, they have to be a member
35 on either a Fish and Game advisory committee or a member of the
36 Federal Subsistence Board. That is specified through ANILCA.
37 That's not something that the Park Service dreamt up. That
38 eligibility is established for those appointees. So with that
39 in mind, the potential candidates list of appointees to
40 Denali's commission is first of all anyone who resides within
41 one of the resident zones or any individual who has a
42 subsistence use permit. The second aspect is that they serve
43 on a Fish and Game advisory council or a Federal Regional
44 Advisory Council.

45

46 MR. TITUS: I'm sure Paul meets the criteria. I make a
47 motion that we support Paul Starr as appointed to the regional
48 council.

49

CHAIRMAN FLEENER: There's a motion on the floor. Is

00185

1 there a second? Is there a second?

2

3 MR. GINNIS: I'll second the motion.

4

5 CHAIRMAN FLEENER: Steve seconds. Discussion? Who is
6 the -- I'm just wondering who the representative is now?

7

8 MR. TITUS: Miki Collins.

9

10 CHAIRMAN FLEENER: Miki Collins.

11

12 MR. MATHEWS: Mr. Chairman, I apologize, I was trying
13 to get some other information. The motion is to appoint who is
14 the motion?

15

16 CHAIRMAN FLEENER: Paul Starr.

17

18 MR. TITUS: Paul Starr.

19

20 MR. MATHEWS: Okay. Hollis explained to you that they
21 either have to qualify to using the park, so he meets that,
22 correct?

23

24 MR. TITUS: Yes, he meets that. He's got a perfect
25 right to use the resource that goes through the park and that
26 should qualify him.

27

28 MR. MATHEWS: But the second step -- Philip, I'm not
29 defending the process, I'm just going to explain it. The
30 second step would be that he has to be a member of a local
31 advisory committee or this Regional Council. Obviously he
32 doesn't serve on the Regional Council. Do we know if he's on
33 the Tanana/Rampart/Manly Advisory Committee?

34

35 MR. STARR: And who started that, you got to be on the
36 Council or some kind of advisory committee? Why is that in?

37

38 MR. TWITCHELL: It's justified in ANILCA in terms of
39 the Subsistence Resource Commission, where they're empowered to
40 be formed and they wanted to ensure that.....

41

42 MR. TITUS: That seems like that's just a stumbling
43 block created for -- to deny them their rights. I suggest that
44 something be done to remove all that stumbling and idiotic
45 block.

46

46 MR. TWITCHELL: I'd like to explain that.....

47

48 MR. TITUS: There's Paul Starr right there, let's ask
49 him.

00186

1 MR. TWITCHELL: I'd like to explain that there are nine
2 members on the commission. Three of them are appointed by the
3 Governor of Alaska, three of them are appointed by the
4 Secretary of the Interior. Those individuals do not have the
5 requirement that they're either a subsistence user or sit on a
6 Regional Advisory Council or a Federal -- or a Fish and Game
7 advisory committee. Congress, in establishing this criteria
8 wanted to ensure that there were subsistence users who were
9 directly utilizing the resource and involved with the
10 organizations who were advising. And so they specified that
11 the Regional Council appointees have that requirement. So if
12 you're interested in appointing Paul Starr.....

13
14 MR. TITUS: He's right there.

15
16 MR. TWITCHELL:on to the commission, it will be
17 difficult for you to appoint him since he doesn't serve on a
18 Fish and Game advisory committee or a Federal council. The
19 option is that you consider his appointeeship coming through
20 either a Secretary's appointment or a State of Alaska
21 appointment or in the case if he should be appointed to one of
22 these other councils, then you could appoint him through your
23 authority.

24
25 MR. MATHEWS: Mr. Chairman?

26
27 CHAIRMAN FLEENER: Yes, Vince.

28
29 MR. MATHEWS: We're trying to work out quite a few
30 things here, it may be a good time to step down for a few
31 minutes to get all the notes together. That way it would
32 protect the interest of the motion, but also to make it clear
33 to you and maybe John Starr what we're all talking about. It
34 would make life a little easier if we just stood down for a few
35 minutes.....

36
37 CHAIRMAN FLEENER: Okay.

38
39 MR. MATHEWS:and talked this over.

40
41 CHAIRMAN FLEENER: All right. Let's take a seven
42 minute break.

43
44 (Off record)

45 (On record)

46 CHAIRMAN FLEENER: We've been ordered to come back to
47 order, so let's go.

48
49 MR. GINNIS: Mr. Chairman?

00187

1 CHAIRMAN FLEENER: Yes.

2

3 MR. GINNIS: There is a motion on the floor before the
4 recess.

5

6 CHAIRMAN FLEENER: Yes.

7

8 MR. GINNIS: I would ask the question on the motion.

9

10 CHAIRMAN FLEENER: Well, I think Vince was supposed to
11 provide us with some information. He's the one who requested
12 we go to recess. So let's see if he came up with anything
13 exciting.

14

15 MR. MATHEWS: The information that we came up with is
16 that we don't know when the Tanana/Rampart/Many Advisory
17 Committee is going to meet. And there's still the question out
18 there if Paul.....

19

20 MR. TITUS: Wait. Could we ask the guy from Tanana
21 Native Council to come up here and he could explain to us? I
22 hear what you're saying, but I already know that, I don't want
23 to hear it again. But if there's someone in here --
24 (indiscernible) deny the Native rights to use the resource, but
25 we're going to have to -- it's been mentioned here.

26

27 CHAIRMAN FLEENER: Should he be given an opportunity to
28 speak during our discussion time? Steve?

29

30 MR. TITUS: He's a representative of Tanana. We're
31 trying to pick a resident from Tanana to be appointed and I'm
32 sure they have a right to be in this discussion.

33

34 MR. MATHEWS: If he's going to.....

35

36 CHAIRMAN FLEENER: Okay. We'll allow it then, go
37 ahead.

38

39 MR. NICHOLI: I'm the realty director from Tanana Tribe
40 Council. They have a constitution recognized by the Interior
41 Secretary at Washington. And I'm wondering -- one of my powers
42 is I could form my own advisory committee recognized by
43 Washington and I have five people on there right now. But Paul
44 Starr ain't on it. But there are five people and one is in
45 Fairbanks because of illness and there's -- if it's allowed by
46 this Council to appoint one of my advisory committee members
47 that'd be all right with me.

48

49 COURT REPORTER: Put your name on the record please.

00188

1 MR. NICHOLI: Gerald Nicholi.

2

3 MR. TITUS: We got no way of -- no jurisdiction, you
4 keep saying that, to say how you appoint who to your committee,
5 it's up to you, not us, it's your decision. Thanks.

6

7 CHAIRMAN FLEENER: Yeah. There's an advisory committee
8 -- what were you saying, Vince?

9

10 MR. MATHEWS: Yes. The committee that you're talking
11 about, is that the State Fish and Game local advisory
12 committee?

13

14 MR. NICHOLI: No. This is my own advisory committee
15 that I was authorized to form through our constitution
16 recognized by the Interior -- the Secretary.

17

18 CHAIRMAN FLEENER: So what Vince is probably saying is
19 that wouldn't meet the ANILCA requirements?

20

21 MR. MATHEWS: Correct. It would not meet the -- the
22 person has to be a qualified user, Paul is. But he also has to
23 be a member of the local advisory committee or this Council.
24 And the local advisory committee is the State Fish and Game
25 advisory committee called, Tanana/Rampart/Manly. And I don't
26 have their roster list and I don't know what appointments are
27 up for there. Maybe John -- John is a member of it and I
28 believe the Chair of the committee.

29

30 MR. STARR: Well, he could put his name down in your
31 office -- put his name down to get on that advisory board.

32

33 MR. NICHOLI: John just had a -- I could put his name
34 down, Paul Starr, on my advisory committee. I've been trying
35 to communicate with Rampart, but since we have our differences
36 on that Eureka Road, we lost communication. Manly isn't
37 willing to communicate with me.

38

39 CHAIRMAN FLEENER: Yeah. But even if he was appointed
40 to yours, that wouldn't meet the ANILCA requirements of being a
41 Fish and Game or a Fish and Wildlife advisory committee.

42

43 MR. NICHOLI: This is my fish and wildlife advisory
44 committee for all of my subjects that I have. I take care of
45 fish and wildlife, fish and game, wildlife in parks. I need
46 this advisory committee to help me make decisions that I don't
47 want to make alone. There is.....

48

49 MR. GOOD: If we're talking about a local advisory

50 committee, it doesn't say Fish and Game. If this is a

00189

1 recognized local Tanana fish and game advisory committee, then
2 I would think that would qualify.

3

4 MR. GINNIS: I'd like to -- that local advisory
5 committees. Now, in our tribe we also have the same setup. As
6 the Chief of the community I appoint various people to help me
7 with the issues related to subsistence, whether it's fish, game
8 or whatever. And we recognize those people speaking on behalf
9 of our tribe wherever -- whatever meetings they go to, they
10 speak on behalf of the tribe. Now, they come back from their
11 meetings and they report back to us of what the actions and
12 some of the things that went on at the meetings that they go
13 to. So there might be some terminology difference here, but
14 from my prospective as a tribal advocate, I would recognize
15 this local advisory committee is no difference than a State
16 advisory committee.

17

18 CHAIRMAN FLEENER: Chuck.

19

20 MR. MILLER: Just supporting Steve's idea on that. I
21 have the same feeling. I don't know, in ANILCA does it clarify
22 whether it's a State recognized or is it just a local advisory
23 committee?

24

25 CHAIRMAN FLEENER: I think the pencil pushers are
26 looking it up. Frank, do you want to say something?

27

28 MR. ENTSMINGER: It's my understanding that in a
29 situation like that, actually when the Federal system started
30 getting in place, the Federal people went around and they asked
31 if they should setup their own Federal advisory committees
32 within the various communities. The communities said, hey,
33 we've only got a certain amount of people to sit on all these
34 various committees and boards and things and they thought it
35 would not be good to setup separate ones. So the Federal
36 accepted the State advisory committees as a voice. But
37 basically if you have a local committee or a council already in
38 place, I'm certain that would meet the qualifications.

39

40 MR. TITUS: This is a Federally recognized organization
41 because the Secretary clearly signed off on it.

42

43 MR. ENTSMINGER: Precisely, yes. I can't concede that
44 not being legitimate.

45

46 MR. MATHEWS: Yeah, Mr. Chairman?

47

48 MR. GINNIS: Yes. I think we ought to proceed with a
49 vote. And I think this is a legitimate action. So with that I

50 ask for a question on the motion.

00190

1 CHAIRMAN FLEENER: Well, it seems like we've got an
2 overwhelming desire to push it through. So there's a question
3 called on the motion. All in favor of the motion signify by
4 saying aye.

5
6 IN UNISON: Aye.

7
8 CHAIRMAN FLEENER: All those opposed same sign.

9
10 (No opposing votes)

11
12 MR. MATHEWS: Mr. Chairman, I just need to know who
13 seconded that? I know it was seconded, but I got a funny
14 feeling that there will be a few letters that.....

15
16 CHAIRMAN FLEENER: Nat seconded that.

17
18 MR. MATHEWS: Okay.

19
20 MR. GOOD: I'll second them all if you want.

21
22 CHAIRMAN FLEENER: So what is this going to mean now if
23 this is.....

24
25 MR. GINNIS: It means we made.....

26
27 CHAIRMAN FLEENER: Well, hold on Steve, please. If
28 this is not recognized by the Park Service, which they're
29 saying it probably isn't going to be. If there's meetings for
30 this gentleman to attend, are they going to pay his way down to
31 these meetings?

32
33 MR. TWITCHELL: The agency wouldn't pick up the cost
34 and per diem and travel for someone if they didn't meet the
35 requirements of ANILCA.

36
37 CHAIRMAN FLEENER: Now, how about if we appoint him and
38 then next week the local committee appoints him, would that
39 meet your requirements?

40
41 MR. TWITCHELL: Well, that's correct.

42
43 CHAIRMAN FLEENER: So as long as he's appointed by the
44 local community here to the State Fish and Game advisory
45 committee, then that would be fine?

46
47 MR. TWITCHELL: That's correct.

48
49 MR. GINNIS: Mr. Chairman?

00191

1 MR. TWITCHELL: He would qualify.

2

3 MR. TITUS: The statements you are making is
4 contradictive to the Federal -- the State -- Federally
5 recognized organization, the Tanana Native Council. We can't
6 deny them their right to have their say.

7

8 CHAIRMAN FLEENER: Steve.

9

10 MR. GINNIS: Yeah, Mr. Chairman, I think the issue has
11 been settled. I don't think we need to debate it anymore.

12

13 CHAIRMAN FLEENER: No. I wasn't debating anything, I
14 was just asking for a point of clarification.

15

16 MR. GINNIS: No, let me finish up here.

17

18 CHAIRMAN FLEENER: You go right ahead.

19

20 MR. GINNIS: Somewhere along the line we're going to
21 start having to be heard, okay. I mean from a tribal
22 perspective. And like I said earlier, I'm a strong advocate of
23 tribes. We make decisions on behalf of our people. State
24 government doesn't do it for us, Federal government certainly
25 ain't going to do it for us, so who does it? It's the local
26 tribal governments that make these decisions on behalf of
27 people. And it's time for the Feds and State government to
28 start recognizing us as a voice for the people that we
29 represent. Thank you.

30

31 CHAIRMAN FLEENER: Thank you, Steve.

32

33 MR. GINNIS: To hell with these rules and regulations.

34

35 CHAIRMAN FLEENER: Okay, next on the agenda. Do you
36 have anything else Hollis?

37

38 MR. TWITCHELL: No, that's all I had.

39

40 CHAIRMAN FLEENER: Okay, thank you very much. Letter
41 B, yeah, we're still under the 9:00 a.m. thing over.

42

43 MR. GINNIS: The Feds are taking over.

44

45 CHAIRMAN FLEENER: U.S. Fish and Wildlife Service
46 notice on animal trapping within the national wildlife refuges.
47 Information exchange and recommendations. Vince.

48

49 MR. MATHEWS: Yes. Mr. Chairman, while they're coming

50 up to the testimony table.....

00192

1 MR. STARR: Mr. Chairman, can I.....

2

3 CHAIRMAN FLEENER: Yes. Turn your microphone on.

4

5 MR. STARR: On some of these we're going to have a --
6 they're going to put a sign down there, they're going to have a
7 meeting and see who's going to run on this advisory board and
8 there's some names -- or some people that's on there, their
9 time is up, so we're going to have a meeting and then appoint
10 some people who can appoint Paul on there if we wants to run.

11

12 CHAIRMAN FLEENER: Okay, thank you John. As soon as
13 he's appointed, I guess you guys need to let the Park Service
14 know right away so they can acknowledge his appointment. Ted
15 and Greg, it's up to you.

16

17 MR. MATHEWS: Greg, before you start, I need to get
18 some handouts, just so then you can dialogue directly. Mr.
19 Ginnis has volunteered to pass out the second page to a draft
20 letter concerning the trapping issue that's under -- I don't
21 know the Tab number.

22

23 MR. GINNIS: Tab K.

24

25 MR. MATHEWS: Under Tab K. I also will be passing out
26 a letter, these are just for information, it's not for any
27 other reason. I'm passing out the letter from -- and let me
28 make sure I get this correct, from Fenton Rexford, in care of
29 the North Slope Subsistence Regional Advisory Council
30 concerning this same issue. And that's it, and I apologize to
31 Greg for interrupting.

32

33 CHAIRMAN FLEENER: Go ahead, Greg.

34

35 MR. MCCLELLAN: That's fine. Thank you. Primarily the
36 information we're going to go over is already within your guide
37 book, we just kind of want to emphasize some points. First
38 Congress directed the service as part of the 1997 Appropriation
39 Bill to study the use of animal traps on the national wildlife
40 refuge looking at several factors. As part of this study
41 directed by Congress, the service is soliciting comments from
42 interested parties on their thoughts on trapping on national
43 wildlife refuges. As Bob Schultz mentioned yesterday in his
44 report for the Tetlin Refuge, they sent out several letters.
45 And also on the Flats we mailed out letters to all cabin
46 permittees, tribal councils and various organizations informing
47 them of the study and comment period.

48

49 The service needs to present its report to Congress by

50 March of 1997, so the service is soliciting comments through

00193

1 February 15th. The address that the letter needs to be sent
2 to, I have several copies of the.....

3
4 MR. TITUS: Well, I got a comment. How could you
5 justify denying these guys -- not (indiscernible) trapping in
6 the national park, yet you're telling them you got to clean
7 your traps out and you let your kids go hungry. I'm not going
8 to tell them people that I represent that. How are you going
9 to feed them kids?

10
11 CHAIRMAN FLEENER: Maybe you can go ahead with your
12 presentation and address that in a few minutes. Let's try to
13 let him finish his presentation.

14
15 MR. TITUS: Let's cut to the point.

16
17 MR. MCCLELLAN: A couple of points that we want to
18 mention as far as trapping, that trapping is recognized in the
19 legislative history of ANILCA as a customary and traditional
20 use of Alaska refuges. Trapping is also closely tied to the
21 requirements established in Titles III and VIII of ANILCA that
22 Alaska refuges provide the opportunity for continued
23 subsistence uses by local residents. And the service has
24 determined that at the current levels of trapping it is
25 compatible with Alaska refuge purposes.

26
27 CHAIRMAN FLEENER: Greg, maybe I could interrupt. I
28 think most of us do realize most of the benefits or whatever
29 you want to call them through ANILCA, maybe under here; it
30 says, information exchange and recommendations. Maybe you
31 could get to the recommendations portion of that.

32
33 MR. MCCLELLAN: As far as the recommendation, there is
34 a draft letter that you have in the booklet. We'd encourage
35 the Council to send a comment to the address listed for the
36 Fish and Wildlife Service. We'd also encourage you, if you
37 wanted to, individually, to also submit letters. Like I said,
38 this was a study ordered by Congress for the Service to do.
39 I'd also recommend that either you send a copy of the letter
40 that you're sending to the Fish and Wildlife Service, also send
41 it to the Congressional Delegation, Senator Stevens, Senator
42 Murkowski and Representative Young.

43
44 CHAIRMAN FLEENER: Did they also ask you guys to submit
45 your recommendations on trapping on wildlife refuges and so on?

46
47 MR. MCCLELLAN: No, they did ask us to fill out a
48 survey of the existing trapping.....

49

CHAIRMAN FLEENER: And do you have a copy of that

00194

1 available for us, what you've sent them?

2

3 MR. MCCLELLAN: We don't have one with us, but we could
4 make one available and send it to you. Bob Schultz filled out
5 one for Tetlin and he can address the specifics of that survey.

6

7 CHAIRMAN FLEENER: Okay. I think it would be important
8 to make your comments available.

9

10 MR. TITUS: Mr. Chair?

11

12 CHAIRMAN FLEENER: Yes.

13

14 MR. TITUS: I've got a recommendation that you go back
15 and you take this -- what you're asking us to the people that's
16 actually being effected by this actions and I'm sure you will
17 follow by what they tell you, how they want their lives to be
18 living. And I can't sit here and accept that you're telling us
19 -- well, we're writing the book without their input, yeah, take
20 this stuff out to them and let them have their say.

21

22 CHAIRMAN FLEENER: Go ahead.

23

24 MR. GINNIS: Mr. Chairman, can I say something here? I
25 think we're well aware of this whole issue, you know, everybody
26 that's in this room. And I think the purpose of us here is to
27 do two things. First of all, I think we should go on record
28 opposing this leg-hold trapping situation on the refuges. And
29 secondly, I think we ought to endorse your letter. I think
30 those are two things we need to do. I don't think we really
31 need to get into a big discussion about what the impact of this
32 means to us, we already know that.

33

34 CHAIRMAN FLEENER: Yeah, I think the only thing that I
35 really wanted to get to was what.....

36

37 MR. GINNIS: So Mr. Chairman, I'd like to move that we
38 oppose the prohibition of the use of leg-hold traps in the
39 national wildlife refuge and that's a motion.

40

41 MR. MILLER: Second.

42

43 CHAIRMAN FLEENER: There's a motion and a second. Is
44 there discussion?

45

46 MR. MAYO: Yeah. I'd like to add to that, you know, we
47 don't need to go round and round about this issue here. We all
48 know that trapping is an industry by local, you know, people.
49 I'd add on to Steve's suggestion that this board direct these

50 agencies to come up with language that, you know, to send to

00195

1 their bosses back in D.C. and the people behind this
2 initiative, you know, this board to direct the agencies to
3 reflect that importance, you know. And send a message to these
4 people in D.C., that have no idea of what they're trying to do,
5 you know, they're thousands of miles away. So let's move on
6 with it, you know.

7
8 CHAIRMAN FLEENER: Thank you, Randy. Nat.

9
10 MR. GOOD: Mr. Chairman, I propose to amend this motion
11 to add or any further restrictions on trapping.

12
13 CHAIRMAN FLEENER: Do you consider that a friendly
14 amendment?

15
16 MR. GINNIS: I accept that amendment.

17
18 CHAIRMAN FLEENER: Chuck?

19
20 MR. MILLER: Yes.

21
22 CHAIRMAN FLEENER: Did you get that Vince?

23
24 MR. MATHEWS: Yes.

25
26 CHAIRMAN FLEENER: Okay. Any further discussion?

27
28 MR. TITUS: I'd just add that there's a lot at stake,
29 just for the record, for the actions being taken by denying
30 that leg-hold trapping in the refuge or parks.

31
32 CHAIRMAN FLEENER: Okay.

33
34 MR. GINNIS: Mr. Chairman, I think the letter addresses
35 that.

36
37 CHAIRMAN FLEENER: Yeah.

38
39 MR. GINNIS: Your letter.

40
41 CHAIRMAN FLEENER: Okay. Any further discussion?

42
43 MR. GINNIS: Question.

44 CHAIRMAN FLEENER: Question's been called. All in
45 favor of the motion signify by saying aye.

46
47 IN UNISON: Aye.

48
49 CHAIRMAN FLEENER: All opposed same sign.

00196

1 (No opposing votes)

2

3 CHAIRMAN FLEENER: Motion carries.

4

5 MR. GINNIS: Mr. Chairman?

6

7 CHAIRMAN FLEENER: Yes.

8

9 MR. GINNIS: I'd move to adopt your letter with one
10 addition and that is, at the beginning of your letter here, I
11 think we ought to insert the action we just took -- to reflect
12 in your letter that we took action here unanimously opposing
13 the leg-hold trap prohibition. So I move to adopt your letter.

14

15 CHAIRMAN FLEENER: There's a motion on the floor. Is
16 there a second?

17

18 MR. MILLER: Second.

19

20 CHAIRMAN FLEENER: Second by Chuck. Any discussion?

21

22 MR. GINNIS: Question on the motion.

23

24 CHAIRMAN FLEENER: Question's been called. All in
25 favor of the motion signify by saying aye.

26

27 IN UNISON: Aye.

28

29 CHAIRMAN FLEENER: All opposed same sign.

30

31 (No opposing votes)

32

33 CHAIRMAN FLEENER: Motion carries. Okay. We'll allow
34 public comment back here. Can you come up to the microphone
35 and state your name. Thank you, gentlemen, for your brief but
36 thorough presentation.

37

38 MR. NICHOLI: Yeah, I want to talk about -- I'm Harry
39 Nicholi from Tanana. And I got a camp down here 45 miles and I
40 trap and I fish there, I was born and raised there. And I see
41 some wolves going around down there and I know the guys are
42 talking about the wolves, a lot of wolves. Last fall I went
43 down there tried to hunt moose, no moose. Every fall before
44 that moose all over. The wolves, they come in they chase away,
45 we got no chance. And I want to see what you guys would do
46 about those wolves, you know, you Fish and Game guys? And one
47 year I came over here, I shot moose up here in my yard,
48 somebody squeal on me, Fish and Game took the whole god damn
49 thing, I had nothing for the winter, nothing, only fish, no

50 moose meat. No snow goose, no (indiscernible). And I want you

00197

1 guys to get rid of those wolves. That's all I got to say to
2 you Fish and Game people. This is Harry Nicholi from Tanana.

3
4 CHAIRMAN FLEENER: Thank you, very much. I think
5 that's a concern that, not only I have, but several of the
6 Council members have talked about quite a bit. Especially
7 yesterday we talked about it and I've been hearing a lot of
8 concern about wolves and I think it doesn't look like it's
9 going to get any better according to this law that was just
10 passed recently, that prohibits the State from doing anything
11 about getting rid of wolves if they're overpopulated or if
12 they're decreasing the moose population. I think another
13 problem is the fact that the Federal government is afraid to
14 address that issue of wolf control. And it seems like the
15 State is also getting afraid of it. And I think that it might
16 come down to the time that we need to push the issue and say
17 that it's important to us.

18
19 And I'd like to let the record state and I know it will
20 that I support wolf control. I don't necessarily support all
21 types of wolf control. But to keep the moose population high
22 enough so our people can have enough moose to get, I think I
23 support that.

24
25 MR. MAYO: Mr. Chairman?

26
27 CHAIRMAN FLEENER: Yes, Randy.

28
29 MR. MAYO: This is -- I don't know, I keep hearing
30 about this issue everywhere I go and we're having the same
31 problem up where I live. And, you know, like Gerald he's with
32 -- you know, some villages have departments that, you know --
33 what they can do is look into the different land designations,
34 be it State or Federal, and who has the so called jurisdiction
35 and look at their budgets and their programs. If it's predator
36 control -- you know, the locals have to take the initiative on
37 this, otherwise, you know -- put your own people to work and
38 alleviate the problem. You know, there's a lot of unemployment
39 and that's what we're doing up in our area. Instead of giving
40 these city people the job to go out and harvest, you know,
41 we'll give our own people these jobs to do it.

42
43 CHAIRMAN FLEENER: Steve.

44 MR. GINNIS: Yeah, Mr. Chairman, I guess I'd be
45 interested in hearing from the refuge manager regarding
46 predator control because it is an issue that's been raised here
47 a few times since I've been here. I don't know if there's
48 anybody here that can respond to that. Vince?

49

MR. MATHEWS: Yes, Ted will address that. But there

00198

1 has been a lot of discussion done on that in the Fish and
2 Wildlife Service and maybe Ted can brief you on that on where
3 we're going with predator control.

4
5 MR. HEUER: Mr. Chairman, I have a slide presentation
6 that was put together by our regional office that addresses
7 some of the questions about predator control on refuges and I
8 was going to show that. I think it's one of the last things on
9 the agenda. So if you want to wait until then, I'll be glad to
10 discuss it then or we can talk about it now, whatever the
11 Council wants?

12
13 CHAIRMAN FLEENER: Yeah, I don't.....

14
15 MR. SAM: Mr. Chairman?

16
17 CHAIRMAN FLEENER: Yes, Timothy.

18
19 MR. SAM: Back in '60s, they used to have a bounty on
20 these wolves, you know \$50 bounty on these wolves. And that
21 would really help the wolf control and also moose population,
22 too. And I don't see why it can't be done again because the
23 wolf control cleans out and then we have different
24 organizations, disagree about that. So it would be wise if we
25 put it back on the \$50 bounty or something.

26
27 CHAIRMAN FLEENER: Thank you, Timothy. Do you want to
28 give your comments now, ma'am?

29
30 MS. ROBERTS: Early this fall.....

31
32 COURT REPORTER: Ma'am, your name?

33
34 MS. ROBERTS: Cathy Roberts of Tanana. Earlier this
35 fall there was a wolf killed not too far from right here on
36 Front Street. And I don't know why the Federal or the State
37 are afraid to -- you know, what if it gets one of our kids,
38 then would we take action? And you know, all these people,
39 these anti-trappers and everything, where are they? Why don't
40 they come to us, they're infringing on our lifestyle. Who are
41 they?

42
43 CHAIRMAN FLEENER: Thank you. They're people that
44 don't live here mostly.

45
46 MS. ROBERTS: That's right.

47
48 CHAIRMAN FLEENER: Well, Ted said he could address this
49 issue if the Council wants to hear more on it right now or we

50 could wait until later? Okay, we'll wait until later on that,

00199

1 Ted, thanks.

2

3 MR. MATHEWS: Mr. Chairman, now we're up to dealing
4 with proposals if I understand correctly, because we've already
5 dealt with the notice on animal trapping.

6

7 CHAIRMAN FLEENER: Letter C.

8

9 MR. MATHEWS: Okay. The way we decided or felt it
10 would be best with your agreement would be to go through the
11 proposals, first based on the c&t, customary and traditional
12 use determinations and then from there, we'll address the ones
13 that deal with seasons and harvest limits. I do have a handout
14 that may be helpful for you to track. It's a beautiful
15 florescent color. But it gives you an idea of the ones and
16 then you could write down the Council recommendation if you so
17 desire. I would encourage you to do that. We need to
18 communicate back to our -- you know, who you represent quickly
19 on some of these and this would help you track it. I will
20 introduce proposals as we move along, but let me pass this.....

21

22 CHAIRMAN FLEENER: Okay. Well, while you get those
23 passed out and situated, why don't we take a five minute break.

24

25 (Off record)

26 (On record)

27

28 CHAIRMAN FLEENER: I'd like to call the meeting back to
29 order. And make an announcement that lunch is going to be at
30 12:00 and everybody is welcome to stay including everybody.
31 Everybody that is here may eat. And everybody that is a local
32 resident, make sure you grab one of these guys in uniforms or
33 the people that look official and ask them lots of questions
34 and get to know them because they work for you.

35

36 Vince, it's your ball.

37

38 MR. MATHEWS: Yes, Mr. Chairman, the first proposal
39 before you is Proposal 22, which is in Page 1 of your green
40 colored book. We're going to be working through two books, so
41 I will try to get you corrected -- I'm sorry, it's in the --
42 okay, Bruce wants to layout some stuff and then I will
43 introduce proposals. We'll let Bruce go ahead first and I'll
44 get this straightened out.

45

46 CHAIRMAN FLEENER: Okay.

47

48 MR. GREENWOOD: My name is Bruce Greenwood. I'm
49 representing Fish and Wildlife Service here today filling in

50 for George Sherrod. We have about 14 proposals for c&t to

00200

1 cover, that's a lot of work to do. I'm going to layout a few
2 guidelines at the very beginning that might make it a lot
3 easier for us to get through this.

4
5 I think the first thing that's important to note is
6 that for this cycle the Board will take into consideration the
7 review and the analysis and factors. However, it's very
8 important to note that the Board will also take into
9 consideration the reports and recommendations of any
10 appropriate Regional Council regarding the customary and
11 traditional use of subsistence resources.

12
13 So what I'm saying here is that the Board is asking the
14 Regional Councils to make recommendations to them regarding
15 c&t. So the analysis that I'm going to present is only one
16 part of the process. And the analysis is essentially a review
17 and analysis of literature references, council surveys,
18 subsistence surveys, harvest ticket data and other subsistence
19 use mapping projects. It's a status of what we know at this
20 time. And we're asking the Councils, if you'll note as we go
21 through it, to make recommendations on what you feel is
22 appropriate on customary and traditional use within these
23 areas.

24
25 Some important materials to have would be -- you might
26 want to set your map out like this, also I know some of you
27 have lavender books, I might refer to a certain page in here
28 for some of the units and Vince will be referring to this book
29 and again your green book. We have distinctive proposals to
30 cover in the Southcentral region, Eastern Interior, Western
31 Interior and North Slope, so we're really covering quite a
32 large area of the State. The reason why the surrounding
33 regions are being discussed is that either the users or the use
34 areas fall within Eastern Interior.

35
36 Before.....

37
38 MR. TITUS: Mr. Chairman, I move we support Proposal
39 22.

40
41 MR. GINNIS: Second the motion.

42
43 MR. TITUS: Question.

44 MR. MATHEWS: Whoa, Whoa, wait a minute.

45
46 CHAIRMAN FLEENER: Vince you got a comment.

47
48 MR. TITUS: You're out of order. You're out of order
49 Vince, we got a question on the motion.

00201

1 CHAIRMAN FLEENER: Well, you got to give an amount of
2 time to comment. Go ahead.

3
4 MR. TITUS: Why?

5
6 MR. MATHEWS: I think it would be best for the record
7 that we make sure the record reflects what the proposal is
8 addressing. But also I need to give you guidance as to what
9 your recommendations are required to do so it's clear to
10 everybody, the playing field that we're on.

11
12 MR. TITUS: What do we need guidance for, we know where
13 we're going?

14
15 MR. MATHEWS: Well, I want to make sure that your
16 recommendation gets its full effect in the process and not be
17 deterred because we didn't give you the correct advice. I
18 apologize for that.

19
20 MR. TITUS: I mean this is an issue that pertains to
21 the people's subsistence rights and you can't change that. I
22 mean what right do you got to change it, to take food off their
23 table, by putting words on paper.

24
25 MR. MILLER: Mr. Chairman?

26
27 CHAIRMAN FLEENER: Yes.

28
29 MR. MILLER: I'd like to make one clarification on
30 Proposal 22. We talked about this at the meeting we had last
31 week with Southcentral. And a lot of the people -- the
32 agencies don't know that there is two Dot Lake communities.
33 You got the Native Village of Dot Lake and you got the highway
34 community. And I feel just to clarify it that instead of
35 residents of Dot Lake, it should be changed to the Native
36 residents of Dot Lake.

37
38 CHAIRMAN FLEENER: And where is that at?

39
40 MR. MILLER: In Proposal 22.

41
42 CHAIRMAN FLEENER: Okay.

43
44 MR. GINNIS: Mr. Chairman?

45
46 CHAIRMAN FLEENER: Yes.

47
48 MR. GINNIS: I move to amend the motion to make that
49 change.

00202

1 CHAIRMAN FLEENER: Okay. Who seconded that motion, it
2 went a little fast for my ears? Is that you, Chuck, that
3 seconded that?

4
5 MR. MILLER: Yes.

6
7 CHAIRMAN FLEENER: Okay. Do you go along with that?

8
9 MR. MILLER: Yes.

10
11 CHAIRMAN FLEENER: Okay. Okay, so it's for the
12 residents of Dot Lake Native Village -- or the Native Village
13 of Dot Lake. Did you get that Vince?

14
15 MR. MATHEWS: No. But we have an additional person
16 that's capturing the motions, but we need the clarification on
17 the amendment?

18
19 CHAIRMAN FLEENER: It's having.....

20
21 MR. GINNIS: The amendment -- Mr. Chairman, the
22 amendment that I made to the motion is to do exactly what he
23 suggested, rather than say residents of Dot Lake, it be
24 residents of Native Village of Dot Lake and that's the
25 amendment to the motion.

26
27 CHAIRMAN FLEENER: Chuck pointed out that there's two
28 villages, okay. Anymore comments or discussion? Yes, Bruce.

29
30 MR. GREENWOOD: Let's see, we're on Proposal 22 and Dot
31 Lake is not mentioned in this proposal at all.

32
33 CHAIRMAN FLEENER: Residents of Dot Lake, right there.

34
35 MR. GREENWOOD: Okay. I think we kind of jumped ahead
36 here, you know, pretty quickly and I think it's important to
37 note that we're on Page.....

38
39 CHAIRMAN FLEENER: If you look at the.....

40
41 MR. GREENWOOD:we're on Page 3 of this book right
42 here, this proposal.

43
44 MR. GINNIS: We're working off of this book right here.
45 Now, if you get that book.....

46
47 CHAIRMAN FLEENER: Hold on a second.

48
49 MR. GINNIS:Proposal 22 has to do with.....

00203

1 MR. GREENWOOD: That's correct. I think there's -- I'm
2 going to state my concern now is that we didn't even introduce
3 the proposal nor did we introduce the Staff conclusion
4 proposal, nor did we introduce what a subcommittee last week
5 recommended on this proposal. So I think maybe it's important,
6 at least, to lay a few of those out.

7
8 CHAIRMAN FLEENER: Okay. Let's make a clarification
9 exactly what we're on. We're on Page -- the second page of
10 this brown booklet, it's Proposal 22. What's Page 3.

11
12 MR. GREENWOOD: Okay.

13
14 CHAIRMAN FLEENER: Draft Staff analysis?

15
16 MR. GREENWOOD: Page 1 is the actual proposal made by
17 the proponent and the Staff analysis begins on Page 3.

18
19 CHAIRMAN FLEENER: Okay. Well, we do have a motion on
20 the table, I guess we should address that first.

21
22 MR. GINNIS: Well, we're on discussion on the motion.

23
24 CHAIRMAN FLEENER: We're on discussion on this motion,
25 yes. And if -- I don't know if the Council wants to withdraw
26 their motion to hear his analysis or if you want to continue,
27 it's your decision?

28
29 MR. TITUS: I don't think we need to stop and wait for
30 these guys because we're returning the guy's rights to harvest
31 the resource and they need it to put food on their plate. So
32 all the words and numbers you put at us is not going to put no
33 food on the plate.

34
35 MR. MATHEWS: Mr. Chairman, we're not trying to stop
36 anything, we're just trying to make sure that your
37 recommendation -- if you attended any State board or the
38 Federal Board, you have to have a good record otherwise your
39 recommendation is weakened as it moves forward. That's all
40 we're trying to do is to make sure that it's clear on the
41 record that you've been advised of the material. We don't want
42 to go through word by word, we just want to give you the
43 basics, what public comments, what the State position is, et
44 cetera, et cetera, so your recommendation does not get thrown
45 out. That's all we're trying to do.

46
47 CHAIRMAN FLEENER: Okay, Chuck.

48
49 MR. MILLER: Yeah, I just wanted to clarify what I

50 brought up earlier was just not only for this proposal, but for

00204

1 the other proposals regarding Dot Lake, that there is two
2 separate communities and I'd just like that on the record.

3
4 CHAIRMAN FLEENER: Okay. Frank, I'll give you a little
5 time, since your name is on this.

6
7 MR. ENTSMINGER: Yes, thank you, Mr. Chair, members of
8 the Council. Yeah, I think it's important that you all realize
9 that as you go down through all of these proposals, that just
10 about every one of them has had amendments to them or -- in
11 fact, everybody that's commented on them thus far that I know,
12 have had amendments to the proposals. Because a lot of these
13 proposals have been on the books for up to eight and 10 years
14 and some of them were a little bit outdated. Some of them need
15 amendments to include the proper people that hunt the resource.
16 And the SRC voted to pass this proposal with the amendment to
17 include Dot Lake because it wasn't in the original proposal.
18 So Dot Lake is amended to be included in this proposal.
19 Because it only covers usage from the people from 11, 12 and
20 13.

21
22 CHAIRMAN FLEENER: Okay.

23
24 MR. ENTSMINGER: And of course, Dot Lake is in Unit
25 20(D). And also just for the record, NPS is considering Dot
26 Lake as a resident community of the park and they have asked
27 these villages that they're thinking about including in the
28 park to designate what they want as their area of usage of
29 their people. And if Dot Lake just wants the Village of Dot
30 Lake to be included, that's -- you know, that's the
31 recommendation.

32
33 CHAIRMAN FLEENER: Okay, thanks Frank. Well, I think
34 it would be a good idea to hear what these guys are going to
35 say. I don't know how to address the -- since we're in
36 discussion of a motion already, unless these guys withdraw
37 their motion.....

38
39 MR. MATHEWS: Well, there's no problem with that by the
40 fact that the motion just gets the proposal on the table so
41 everyone can talk about it. That's all it's doing. It would
42 not be inappropriate.

43
44 MR. GINNIS: Mr. Chairman?

45
46 CHAIRMAN FLEENER: Yes, Steve.

47
48 MR. GINNIS: Yeah, the motion -- the intent of the
49 motion was to put this proposal on the table and then

50 discussion. And you know, based on discussion we can always

00205

1 vote the motion down.

2

3 CHAIRMAN FLEENER: Okay. Anything further? Bruce.

4

5 MR. GREENWOOD: What might be helpful to do would be to
6 step back a little bit. We have about seven or eight proposals
7 all for this same area. If I can give a brief introduction for
8 the use of this area, it might be helpful in your deliberations
9 for the rest of the proposals that we're going to do in
10 Southcentral. So with your indulgence I would take about five
11 minutes to do that.

12

13 CHAIRMAN FLEENER: I don't know how that would go since
14 we only have one proposal on, would that be out of order?

15

16 MR. MATHEWS: No, he's just setting up the context of
17 that proposal in light of other proposals. And that also
18 reflects your concern over time to do reviews by area, not by
19 species. So he's trying to bridge those two.

20

21 CHAIRMAN FLEENER: Okay.

22

23 MR. MAYO: Yeah, they're all in the same area and
24 they're all revised c&t use determination. Like Vince said,
25 you know, these could all be pretty much the explained all at
26 once, right?

27

28 CHAIRMAN FLEENER: Is that what you're going to do?

29

30 MR. GREENWOOD: Well, I could explain some of the
31 background, but each one of them is -- well, it's quite
32 specific in the use and I imagine that the SRC and Frank
33 probably has different suggestions for each one of those. I
34 think it might be better to take it one by one and you might
35 find out that it -- as Randy has suggested, it's pretty easy to
36 go through each one of those and make a recommendation once
37 there's a background set forth on it.

38

39 MR. MATHEWS: And also, Mr. Chairman, you can take
40 advantage of, Frank is also the chair of the local advisory, he
41 can share their comments. But he's also a member of the SRC
42 that has commented on each of these proposals and you appointed
43 him to the SRC. So it might be good to have him up at the
44 table as we walk through these proposals, unless he wants to
45 walk back and forth.

46

47 CHAIRMAN FLEENER: How about that Frank?

48

49 MR. ENTSMINGER: That will be fine.

00206

1 CHAIRMAN FLEENER: For questioning if we have
2 questions? Philip.

3
4 MR. TITUS: It seems like we're just dragging through
5 this. You're going to explain to us every proposal.

6
7 MR. GREENWOOD: I'll be as brief as possible and if the
8 Council would so choose -- and I guess I would not be out of
9 line to say that, you know, if you do feel you have enough
10 information based on the information being presented to you and
11 what you know of the area to make a recommendation, I suppose
12 you can do that. But I would defer to Peggy or Vince or Bill
13 to clarify that.

14
15 MR. GINNIS: Mr. Chairman?

16
17 CHAIRMAN FLEENER: Yeah, Steve.

18
19 MR. GINNIS: You know, when I look at this proposal and
20 look at this yellow sheet of paper, it's pretty easy for me to
21 see what's going on here, okay. This Proposal 22 is a revision
22 the way I look at it. And the revision is there is no Federal
23 subsistence priority on goats -- mountain goats we're talking
24 about, they're just talking about mountain goats. But in any
25 case, it's pretty easy for me to see from these documents that
26 there is no Federal subsistence priority and what the change --
27 the way I look at it is, they propose that the regulation be
28 changed to include these following communities. You know,
29 unless there is some question about it, then maybe we ought to
30 get into a discussion about it, but you know, it's pretty self
31 explanatory.

32
33 MR. KNAUER: Mr. Chairman, just a point. The
34 recommendations that this Council provides to the Federal
35 Subsistence Board must be based on adequate justification.
36 Now, anybody can present a proposal for anything. That doesn't
37 necessarily mean that it's correct, it doesn't necessarily mean
38 it's wrong. It's the responsibility of this Council to weigh
39 the facts and to base their recommendation on the facts. Just
40 like if you go into Anchorage and tells you something, it might
41 be right, it might be wrong.

42
43 If you go into a village and somebody tells you
44 something, it might be right, it might be wrong. It may be
45 based on their best belief, that doesn't necessarily make it
46 right. And, correct, it's the responsibility of this Council
47 to judge the facts and then make their accurate recommendations
48 to the Board. That will increase the credibility of this
49 Council, the credibility of the Council system and hopefully

50 provide the best opportunity and the most opportunity for the

00207

1 subsistence users that you're here to represent. You want them
2 to have what's accurate. You want to avoid situations where
3 they face inappropriate competition from individuals who don't
4 qualify.

5
6 So that's all they're saying is to try and give you
7 some information based on their analysis.....

8
9 CHAIRMAN FLEENER: Okay, thank you, Bill.

10
11 MR. KNAUER:of local folks.

12
13 CHAIRMAN FLEENER: I see the point of the Council they
14 don't want to hang-on to each of these and take a lot of time.
15 But I'll allow Bruce to go ahead and give us some background on
16 each one of these, but try not to take too long.

17
18 MR. GINNIS: Mr. Chairman, before you do that, can I
19 just ask, from based on what that gentleman just said, are we
20 going to -- we have to give some justification for our support
21 of this proposal, I mean is that what he's saying?

22
23 MR. MATHEWS: Yes, that's exactly what he's saying
24 because in ANILCA you have to meet -- well, how can I put this
25 in a positive way. The Board, with your recommendation may
26 choose not to follow any of your recommendations. When the
27 Board determines that it's not supported by substantial
28 evidence. So you have to show some evidence for your
29 recommendation. Two, it violates recognized principals of fish
30 and wildlife conservation. And three, that it would be
31 detrimental to the satisfaction of subsistence needs. So you
32 have to meet those three criteria if you want your
33 recommendation to carry its full weight. So it has to be based
34 on substantial evidence, it has to be within the recognized
35 principals of wildlife conservation and it not be detrimental
36 to subsistence.

37
38 I know all of you feel that it's -- what your actions
39 are taking would not be detrimental to subsistence. But to
40 further support that movement, you need to provide some
41 evidence based on the other two.

42
43 CHAIRMAN FLEENER: Are those criteria listed in here
44 anywhere so we can.....

45
46 MR. MATHEWS: I have copies of ANILCA here, no, they're
47 not listed in there. But I have copies of ANILCA that I'm
48 quoting from directly.

49

CHAIRMAN FLEENER: Okay.

00208

1 MR. MATHEWS: You will do it in conversation. If the
2 trend was going to be I move to adopt X proposal, second it and
3 vote, somebody may question that you did not apply your charge
4 to make sure you were abreast of all the information.

5
6 CHAIRMAN FLEENER: Okay. Philip.

7
8 MR. STARR: Mr. Chairman?

9
10 CHAIRMAN FLEENER: Hold on John, Philip had his hand
11 up.

12
13 MR. TITUS: Nobody got a right to deny them to put food
14 on their plate and that should be justification enough. I mean
15 what right do they got to say, you can't put nothing on your
16 plate, where's the justification in that? Can you answer that?

17
18 MR. MATHEWS: I'm not addressing the merits of the
19 proposal. I'm just talking about the process. That it would
20 be easier if we could introduce the proposal, say a brief
21 statement about it, give you the comments that we have received
22 that you have not seen that may change your decision and then
23 from there give you any information that would help you
24 understand the proposal and then you would vote your motion.

25
26 CHAIRMAN FLEENER: Part of that, too, Philip, is making
27 sure that all of these proposals -- like I haven't looked over
28 all of them, but some proposals might have been made by the
29 Sierra Club and.....

30
31 MR. TITUS: Well, they said -- these guys got a right
32 to feed themselves.

33
34 CHAIRMAN FLEENER: Right. But if there is something in
35 here by the Sierra Club, we might want to take a second look at
36 it.

37
38 MR. TITUS: The Sierra Club's got no right to tell them
39 guys they can't.....

40
41 COURT REPORTER: Turn on your microphone please, Mr.
42 Titus.

43 MR. TITUS:feed themselves.

44
45 CHAIRMAN FLEENER: No, they don't have that right, but
46 they have a right to submit a proposal.

47
48 MR. TITUS: Sure they got a right to submit the
49 proposal. But the decision makers got to protect the people

50 that live off the land. They don't have to listen to the

00209

1 Sierra Club.

2

3 CHAIRMAN FLEENER: I realize what you're saying.....

4

5 MR. TITUS: Just because Sierra Club got numbers and
6 words on paper that say this fact is true and my lifestyle, I
7 got no paper that says when I'm hunting and that don't prove
8 that I'm not using the resource.

9

10 CHAIRMAN FLEENER: I realize what you're saying, but we
11 need to make sure that if someone puts a bum proposal in here
12 that we don't we accept it or pass it. And that's why we need
13 to take a look at them. John.

14

15 MR. STARR: Mr. Chairman, I think it's better to have
16 Frank explain it to us because I got a problem with these areas
17 -- you know, in all these areas -- they don't know nothing
18 about the areas, if he could explain some of these proposals to
19 us it would be easier.....

20

21 CHAIRMAN FLEENER: Bruce.

22

23 MR. STARR:start going over jurisdiction. We
24 don't know nothing about jurisdiction.

25

26 MR. GINNIS: Mr. Chairman?

27

28 CHAIRMAN FLEENER: Hold on, Bruce had his hand up.

29

30 MR. GREENWOOD: I think one thing that's important to
31 note is that all of these proposals fall between two Regional
32 Councils. By endorsing every one of these, you actually may
33 jeopardize the subsistence use of another person where -- that
34 is represented by the Southcentral Regional Advisory Council.
35 I think that's important to note that there are other users
36 that may be effected by a determination -- possibly negative
37 effect by determination. That's why if I gave a brief
38 introduction on this area, it might help you all making your
39 decisions.

40

41 CHAIRMAN FLEENER: Steve.

42

43 MR. GINNIS: Mr. Chairman, you know we're talking about
44 justifying, you know, approval or disapproval of these
45 proposals. Now, my information and how I vote is based on
46 what's written here. I mean my justification for voting for
47 the proposal is written right here. You know, I don't know if
48 I need to go on record to say I support this proposal because.
49 If that's what we're asking for, then we're going to be here

50 all day long trying to justify why we voted one down and voted

00210

1 another one up. And I think the purpose of this information
2 here is exactly that, it's for us to read it and you either
3 agree with it or you disagree with it.

4
5 CHAIRMAN FLEENER: So Vince, are you saying that the
6 information that Bruce is going to provide to us is in addition
7 to what's on these -- what's on the proposal -- it's not in
8 addition to what's on the proposal so.....

9
10 MR. MATHEWS: No, it's not, but you do not have
11 exposure to the public comments that have been submitted.

12
13 CHAIRMAN FLEENER: Frank.

14
15 MR. ENTSMINGER: Yeah, Mr. Chair, members of the
16 Council to address maybe Bruce's concern on some of these. The
17 SRC, the Wrangell SRC has got two members of the Southcentral
18 Regional Council on it. Both of those members -- and they're
19 members that live, you know, right in the area that's effected
20 and both of those members have already approved these positive
21 c&t's for their -- they're saying that, yeah, we feel Upper
22 Tanana has this usage, we're going to allow it. But that's not
23 the total -- that's not the total Regional Council, that's
24 their two members on the Council in the area.

25
26 CHAIRMAN FLEENER: Go ahead, Bruce.

27
28 MR. GREENWOOD: We could get into debate here in some
29 long debating subjects, but I do take exception to what Frank
30 has mentioned there. Because we had a subcommittee meeting a
31 week ago, which I wanted to introduce the purpose of that
32 meeting. But that subcommittee meeting was made to have
33 between Eastern Interior and Southcentral in order to kind of
34 work out some of these differences between the two Regional
35 Councils.

36
37 And at that meeting, which I think probably for the
38 record I ought to just mention the purpose of the meeting was
39 to provide for early information and exchange of discussion
40 between members of Eastern Interior and Southcentral Regional
41 Councils who are jointly effected by the several proposals.
42 Background material provided for discussion by the members is
43 the same material provided for the upcoming Regional Council
44 meetings. The members participated as individuals, asking
45 questions of the Board's Staff, exchanging their individual
46 views and personal knowledge. As a result of these
47 discussions, it is hoped that the full Regional Councils,
48 acting in public session during the coming weeks, would be able
49 to act with better understanding of the proposals, the

50 information basis, and the implications of the preliminary

00211

1 conclusions in the Staff analyses.

2

3 The discussion among the Council members and their
4 points of tentative agreement, have no standing as decisions or
5 recommendations by the Regional Councils. Each of the
6 proposals in question is scheduled for full review and
7 deliberation by the whole Regional Council during upcoming
8 meetings.

9

10 So the meeting that was held, they came up with certain
11 recommendations for each proposal and I think it's important to
12 hear what that group decided on.

13

14 CHAIRMAN FLEENER: Okay. Why don't we go ahead and get
15 started on this because we're going to debate how to proceed
16 with this all day long. Let's just go ahead and do this and
17 we'll hear what you have to say on these, just try to be brief,
18 okay? As brief as possible.

19

20 MR. GREENWOOD: What I'll do is this area, like I
21 mentioned, there's two different Regional Councils in two
22 different areas. You might refer to your regional map also.
23 We have the area down here that's covered by the Southcentral
24 Regional Advisory Council, it's Units 11 and 13. Unit 11 is
25 primary Wrangell-St. Elias National Park and Preserve, Unit 13,
26 there's a few scattered tracks of BLM land. This area is --
27 there's approximately 20 to 23 communities there of which most
28 are resident zone communities. Of all those communities
29 there's seven traditional Ahtna traditional villages within
30 that area. The Eastern Interior area is north of there. And
31 primarily what we're discussing is Unit 12. That's within the
32 purview of this Regional Council. Unit 12 has about five
33 communities there, four of which are Upper Tanana Athabaskan
34 communities. Tok -- the community of Tok is primarily a non-
35 Native community. There's a -- Harry could correct me if I'm
36 wrong, there's 11 percent Native there and within Tok there's
37 -- about 40 percent -- 30 percent of Tok are high harvesters of
38 resources, which were pretty much equal to the Native
39 communities in Upper Tanana.

40

41 CHAIRMAN FLEENER: And this Proposal 22 says it's Unit
42 11, that's not within our area?

43 MR. GREENWOOD: Unit 11 is within the Southcentral
44 Regional Advisory Council's purview.

45

46 CHAIRMAN FLEENER: So if we approve this one it doesn't
47 mean much other than saying we're giving our support, it's not
48 going to carry any real weight though?

49

MR. GREENWOOD: What will happen is, it's happened in

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1 the past, is this, Eastern Interior Council will make a
2 recommendation, your recommendation might be directly opposed
3 to what the Southcentral Regional Advisory Council will
4 recommend. What will happen then is the Staff committee and
5 the Subsistence Board will then have to take both of those
6 Regional Council's positions on it and use that in their
7 deliberations and making a final recommendation for this area.
8 That's one reason -- and since all seven of these effect both
9 Regional Councils, that's why we had the meeting last week was
10 to kind of iron some of this out and maybe smooth it over a
11 little bit to forward a chance of getting these to go through.

12

13 CHAIRMAN FLEENER: And these seven proposals here that
14 we're going over now, the SRC supports these?

15

16 MR. GREENWOOD: I think that's where there was a
17 difference of opinion. As SRC pretty much supports most of
18 those and maybe is a little bit broader in certain respects.
19 The basis of Staff conclusion is somewhat narrower than what
20 they recommend and I believe the joint meeting last week kind
21 of falls between both of those. And I think generally
22 speaking, the people in Upper Tanana in Unit 12 would like to
23 use the area down in Unit 11. For the most part there is a few
24 proposals that cover people in this lower area, Unit 11 wanting
25 to use up to Unit 12. But primarily it's Tanana using the
26 communities in Southcentral. And most of these communities,
27 with the exception of Tetlin, are road connected communities,
28 most communities in the Copper Basin area, the traditional
29 villages are more heterogeneous, mix between Native and non-
30 Native and mix between different income levels. And also
31 there's quite a variation, some people don't hunt at all, some
32 people hunt a lot. So there really are a lot of variations,
33 much different than other areas.

34

35 CHAIRMAN FLEENER: Do we know if Southcentral supports
36 these seven proposals that we're going over now?

37

38 MR. GREENWOOD: The Southcentral Council is meeting
39 tomorrow morning for the next two days and I know they'd be
40 appreciative of having this information on these proposals in
41 their deliberations on it.

42

43 CHAIRMAN FLEENER: And so what's your recommendation on
44 these seven proposals?

45

46 MR. GREENWOOD: On how to handle them? I think the
47 best thing to do would be to briefly go through each one with
48 the introduction I gave. And I think it's important to have
49 the Staff conclusion on it, the subcommittee -- it's important

50 to note what their.....

00213

1 CHAIRMAN FLEENER: So basically what you just gave us
2 is a breakdown of the users and what areas are effected?

3
4 MR. GREENWOOD: Right.

5
6 CHAIRMAN FLEENER: And you're not going to go through
7 that again?

8
9 MR. GREENWOOD: No, I won't go through that again.

10
11 CHAIRMAN FLEENER: All right.

12
13 MR. GREENWOOD: This is just some of the basic
14 background and I think it's important to have.

15
16 CHAIRMAN FLEENER: Okay.

17
18 MR. GREENWOOD: From there we'll take each individual
19 one. I think the important pieces of each individual proposal
20 are what the Staff recommends based on their knowledge and that
21 is -- I'd define that based on the knowledge of what we have,
22 which isn't the complete picture. The next thing that's
23 important to consider is the Eastern Interior and Southcentral
24 subcommittee suggestions. And then it's also important to
25 consider the SRC recommendation that Frank will provide.

26
27 CHAIRMAN FLEENER: Okay, thanks.

28
29 MR. MATHEWS: And then I would amend that that you also
30 need to hear the other comments from the State. We have a
31 State representative here or from other public entities that
32 may have traveled here or may have talked to someone to allow
33 them to be recognized and testified. I doubt if anybody's up
34 here to talk about those, we don't know that until we allow
35 them to testify.

36
37 CHAIRMAN FLEENER: Okay, let's get going then. Bruce,
38 22.

39
40 MR. GREENWOOD: In 22, well, if you turn to Page 14,
41 what the Staff recommends is the communities of Chitna,
42 Tonsina, Tazlina and Copper Center that the Regional Councils
43 consider having c&t for those four communities. And the reason
44 why is that these are the only communities that can justify
45 traditional and historical use of goat within Unit 11. And I'm
46 not sure if you want to have what the subcommittee came up with
47 next or you want to have Frank's comments next.

48
49 MR. MATHEWS: Or you want to have public comment.

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1 MR. TITUS: I got a question. How come they say in
2 these communities and these people that live in different
3 community and they're subsistence users, they're denying them
4 their right to subsist?

5
6 MR. GREENWOOD: I think the reason why only four are
7 recommended here is because.....

8
9 MR. TITUS: You're denying them the right to subsist.

10
11 MR. GREENWOOD: Well, right now there isn't any goat
12 seasons down there. And this proposal would add four
13 communities that live closest to where the goats are found and
14 these communities show a history of using goat.

15
16 MR. TITUS: Just because it's a goat don't mean they
17 don't use it for subsistence. Some other -- some people use
18 all the resource for subsistence.

19
20 CHAIRMAN FLEENER: Steve.

21
22 MR. GINNIS: Mr. Chairman, I just wanted to ask Frank,
23 since you're one of the sponsors of this proposed change and
24 requesting the residents of Tanacross, Tok and Northway and
25 Tetlin and the residents -- Native Village of Dot Lake to be
26 included in this, is there some historical use of that area; is
27 that why you're proposing this -- it kind of be a little
28 contrary to what he's saying. So I'm just asking you if there
29 is some justification for it?

30
31 MR. ENTSMINGER: Yes, Council and Steve. Yes, we feel
32 there's justification for this because there are definitely
33 people in Upper Tanana and also in other Copper Basin
34 communities that historically use mountain goats as a
35 subsistence resource. And I'm not saying that there's a large
36 number in every community that have done it, but there is a
37 tradition and it goes back in history. And if you say that
38 there is no c&t usage for goats for these people, they haven't
39 even got an avenue to get their positive c&t's. Now, it might
40 be that once you designate the c&t usage for these people, Park
41 Service might say, well, you're going to have to come forth to
42 the Federal Subsistence Board and prove it on an individual
43 basis. But even if they have to do that, at least they have
44 the basic ground work to go from. And if you want to listen to
45 Staff over here, I mean we can get into a debate on this stuff,
46 you know, on every one of these proposals.

47
48 CHAIRMAN FLEENER: Yeah, well, I don't think we need to
49 debate. One of the things that I stated at the beginning of

50 the meeting was that just because someone cannot prove his

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1 prior use, doesn't mean that there is not going to be a need
2 now or in the future and I support -- for subsistence use, I
3 support any use of any animal that would come into an area
4 sometime in the future because needs change, people change and
5 animal movement patterns change.

6

7 MR. ENTSMINGER: Yeah, absolutely. And I do want to
8 make a note, too, that when Southcentral and Eastern Interior
9 met, you know, I realized, you know, I'm not a member of the
10 Council or anything, but I am a member of the SRC and I wish I
11 had been at that meeting. Because I think that their little
12 piece of paper would have looked a lot different if I had been
13 there.

14

15 CHAIRMAN FLEENER: Okay. Those are SRC comments and
16 your comments.

17

18 MR. GINNIS: Mr. Chairman?

19

20 CHAIRMAN FLEENER: Yes.

21

22 MR. GINNIS: I'm a bit confused here, there is two
23 different messages I'm receiving here on this proposal. One
24 side over here is telling me that there's no justification for
25 this. He's saying there is a justification for it. Now, where
26 does that put us?

27

28 CHAIRMAN FLEENER: That's up to decide what.....

29

30 MR. GINNIS: Just who to believe, is that what this
31 comes down to?

32

33 CHAIRMAN FLEENER: Go ahead, Bruce.

34

35 MR. GREENWOOD: I think it's important -- I'd like to
36 establish my ground rules here. I'm not -- I would just like
37 to lay the information at, that's my only purpose is to lay the
38 information out.

39

40 CHAIRMAN FLEENER: Okay.

41

42 MR. GREENWOOD: And I'm going to put it out there and
43 I'm not going to be -- I'm not going to argue with Frank
44 because I don't have a position on this myself, I just want to
45 lay it out and make sure that the Council has all the
46 information available.

47

48 CHAIRMAN FLEENER: Okay.

49

MR. GREENWOOD: And the only piece of information that

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1 you want to consider would be the group that Frank alluded to,
2 what their suggestion was on it, which is different than the
3 Staff suggestion.

4
5 CHAIRMAN FLEENER: Vince.

6
7 MR. MATHEWS: Mr. Chairman, that's correct. And Steven
8 you do have information. Chuck is here, he attended that
9 meeting, Chuck Miller, and he's from that area so he can
10 enlighten you on what this proposal means to that area and we
11 do have public comment that was written in on this so -- that
12 was supplied to us in writing. So I can brief you briefly on
13 that and Frank is -- will be talking about Upper Tanana and
14 Wrangell-St. Elias SRC, too, their comments on it, too, I
15 assume. And I have handouts from the Upper Tanana minutes from
16 the local advisory committee on their comments. Let me just go
17 real briefly through that because I don't know if the State
18 wants to give their comments or not or do you want me to just
19 summarize it? If the State has a position on -- not a position
20 on this, excuse me, has information on their past actions.

21
22 CHAIRMAN FLEENER: Do you need this Terry?

23
24 MR. HAYNES: Mr. Chairman, you have the copy of.....

25
26 COURT REPORTER: Excuse me, identify yourself, please.

27
28 MR. HAYNES: Terry Haynes. Mr. Chairman, you have my
29 copy of the Department comments on proposals. In most cases we
30 deferred comment on the c&t proposals because we wanted to get
31 more information that would come out at the Regional Council
32 meetings and that we would see in our public comments.

33
34 One of the points we did make in our preliminary
35 comments to the Federal Board is that the Board of Game found
36 in 1987 that there were no customary and traditional uses of
37 goat in Unit 11 by Copper Basin communities. So when the Board
38 of Game reviewed the information available in 1987, the
39 concluded that the Copper Basin communities did not meet the
40 test. One of the confusing pieces of dealing with c&t
41 determination in areas that include national parks is that --
42 this is an example of a proposal where you have communities
43 that are part of the Wrangell-St. Elias National Park resident
44 zone, yet because there is no positive c&t determination for
45 some species, resident zone communities are unable to conduct
46 these activities in the park. So the fact that you have
47 communities in a park resident zone, that doesn't mean that
48 they're eligible to conduct subsistence activities in that
49 park. The next step of this process is the Federal Subsistence

50 Board would have to make a positive c&t determination for this

00217

1 species and other species.

2

3 CHAIRMAN FLEENER: Okay. Thank you, Terry.

4

5 MR. MATHEWS: The additional comments are Wrangell-St.
6 Elias SRC support with amendment to include all rural residents
7 of Unit 11, 12, 13 and Dot Lake. So they've amended the
8 proposal. Upper Tanana 40 mile, Frank is here -- he can fill
9 in, these are just summary. Recommend that Upper Tanana
10 residency acknowledge and granted c&t use in Unit 11. The
11 existing c&t determinations deprive legitimate users of other
12 resource for no biological reason.

13

14 Finally, the full copies of the State text has already
15 been handed out, but for the public and others, copies of the
16 full text that I'm aware of of other comments are in these two
17 books which I'll put up on the stage. And did we cover the --
18 no, maybe Chuck would want to address what the information
19 workshop between the two regions, what they felt of this
20 situation.

21

22 CHAIRMAN FLEENER: Without going into too much depth
23 here, maybe you can just give us a positive or a negative
24 response.

25

26 MR. MILLER: Yeah, I got a question for Bruce. My
27 understanding at that meeting that we went to last week was
28 this is basically opening the door for c&t for goat? I mean,
29 yeah, the Ahtna villages are going to get it first, but that's
30 not excluding us totally yet. I mean if we can come up with
31 sufficient data that the other communities are still able to
32 put in a proposal, so we're really not out of the picture yet.
33 This is just opening the door for c&t use was my understanding
34 of the meeting.

35

36 MR. GREENWOOD: Yes, that's correct. In fact, I'll
37 just read three sentences. It says, Proposal 22, the
38 Southcentral Regional Advisory Council can modify their meaning
39 to include all Ahtna villages. So they recommended including
40 the other three Ahtna villages, which would be Chistochina,
41 Mentasta, Gulkona and Gulkana. The agreed that Dot Lake, who
42 later submitted a proposal for goat hunting on Federal lands
43 and that they agreed that the Staff analysis be revised to
44 reflect mobility of rural residents, Ahtna villages and their
45 c&t should reflect that.

46

47 They wanted to make sure that we explicitly said that
48 the people in Ahtna villages down in that area have lived in
49 different areas during their life and they migrate between the

50 communities quite often, they move around quite a bit. And

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1 that they felt that it's important that those communities all
2 have c&t for goat.

3
4 MR. TITUS: Why don't we put them out to.....

5
6 CHAIRMAN FLEENER: Okay. If that's it maybe we should
7 -- I really don't want each proposal to go as long as the
8 discussion on this one has. So from now on, we'll try to keep
9 comments a lot shorter. But if there's any individuals out
10 there, we'll go through this similar procedure, if there's any
11 individuals who have comments on the goat issue or if anybody
12 travels there, I'll open the floor for just a couple of
13 minutes. Okay, I don't see anybody making a move for the
14 microphone. So we still have a motion and we're in discussion
15 for Proposal 22.

16
17 MR. GINNIS: Mr. Chairman?

18
19 CHAIRMAN FLEENER: Yes, Steve.

20
21 MR. GINNIS: I think Bruce said earlier that this
22 proposal kind of is caught between two regions, the
23 Southcentral and this region here. And I assume you're talking
24 about -- what communities are you talking about when you say
25 we're caught between the two? What villages are in the
26 Southcentral area in regards to this proposal?

27
28 MR. GREENWOOD: Regards to this proposal. The ones
29 that are the Southcentral are the seven Ahtna villages.

30
31 MR. GINNIS: Okay.

32
33 MR. GREENWOOD: Which would be Chitna, Tazlina, Copper
34 Center, Chistochina, Mentasta, Gulkona, Gulkana and plus
35 there's Tonsina which is an additional community that's not on
36 the community -- I think these communities are the ones -- four
37 of the communities, Chitna, Tonsina, Tazlina and Copper Center
38 are the ones that are the closet proximity to goats.

39
40 MR. GINNIS: And they all use Unit 11?

41
42 MR. GREENWOOD: They would all use Unit 11.

43
44 MR. GINNIS: Okay. Frank, I guess I need to ask you a
45 question. I was intending to amend the motion that would
46 include all communities within Unit 11. Because there seems to
47 be, if we go with our motion here as it's stated, I think it
48 might cause some problems with for the Southcentral people. So
49 I think if we could amend the motion to include all the

50 communities within Unit 11 that might ease that problem. I

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1 don't know, I need your opinion on that.

2

3 MR. ENTSMINGER: Steve, actually, you know, people from
4 Upper Tanana wouldn't be asking for the usage down there if
5 there hadn't been any usage in the past. You know, right now
6 there's not any c&t at all for mountain goats. There's a real
7 good population of mountain goats down there and there's a lot
8 of people that even if they had the opportunity probably
9 wouldn't shoot a goat. So I mean people from -- like myself
10 and what not, we hunt down there -- we have to pass up a goat
11 to shoot a sheep when, you know, if we had the c&t usage on a
12 goat, you know, we could take one.

13

14 MR. GINNIS: Okay. So it would.....

15

16 MR. ENTSMINGER: All that we're asking for is that the
17 door be left open to include Unit 12 residents and Dot Lake
18 residents.

19

20 MR. GINNIS: So the other villages that you just
21 referred to, Bruce, they already have a c&t determination to
22 use this area?

23

24 MR. GREENWOOD: The communities I referred to do not
25 have a c&t determination for goats.

26

27 MR. ENTSMINGER: As Terry Haynes stated, the Board of
28 Game was actually the one that dropped the c&t on the
29 residents, you know, mountain goats period.

30

31 MR. GINNIS: Okay.

32

33 MR. ENTSMINGER: But I've attended some of those Board
34 of Game meetings and what not and most of -- nobody in our
35 advisory committee or the Southcentral area advisory committee
36 even knew that it was an issue. People weren't even there to
37 testify. The Board of Game just X'd it out, they just stopped
38 c&t without any public input or anything.

39

40 CHAIRMAN FLEENER: Okay.

41

42 MR. ENTSMINGER: And we're just trying to reestablish
43 it.

44

45 CHAIRMAN FLEENER: Thanks Frank.

46

47 MR. GINNIS: Mr. Chairman?

48

49 CHAIRMAN FLEENER: Yes, Steve.

00220

1 MR. GINNIS: Based on discussion I think I would like
2 to amend -- I would move to amend the motion to include all
3 Ahtna villages, rather than all communities within Unit 11. So
4 the motion is.....

5
6 CHAIRMAN FLEENER: Who seconded the motion?

7
8 MR. GINNIS:all the Ahtna.....

9
10 CHAIRMAN FLEENER: Ahtna villages.

11
12 MR. GINNIS:communities in Unit 11.

13
14 CHAIRMAN FLEENER: Who seconded the motion, I don't
15 remember? Vince, who seconded that motion?

16
17 MR. MATHEWS: The motion was seconded by -- the
18 originator of the motion was Philip, seconded by Steven is what
19 I have.

20
21 CHAIRMAN FLEENER: Okay. So Philip, do you consider
22 that a friendly amendment?

23
24 MR. TITUS: Yes.

25
26 CHAIRMAN FLEENER: Okay. Open for discussion, yes.

27
28 MR. ENTSMINGER: I would really advise -- certainly the
29 villages are the ones that have the most priority of use, but
30 the SRC has tried to stay away from divisions among people.
31 We're trying to keep it open for all the local rural residents.
32 And, you know, when you just start dividing people up it causes
33 contention and heartache and -- it causes more grief than is
34 necessary because we have healthy resources down there and
35 there's no reason why the rural people can't use them.

36
37 CHAIRMAN FLEENER: So you're saying that it should be
38 like all the residents of Unit 11 and not just all Ahtna
39 residents?

40
41 MR. ENTSMINGER: Exactly, yes. Because right now.....

42 CHAIRMAN FLEENER: I think that's what Steve was
43 alluding to at first, was all Unit 11 residents.

44
45 MR. GINNIS: Well, I changed my position on it because
46 I -- that's why I made the motion the way I did.....

47
48 CHAIRMAN FLEENER: Okay.

49

MR. GINNIS:to include Ahtna villages. Who

00221

1 knows, I don't know I have a different opinion on this, what he
2 said, that basically if we went with the idea of all the
3 communities within Unit 11, it opens it up to everybody and
4 their brother, that's the way I look at it.

5
6 MR. ENTSMINGER: Well, you know, basically the.....

7
8 MR. GINNIS: I'm not sure if -- we're here to protect
9 the subsistence use of that area for rural people, then I think
10 that's what the intent is here.

11
12 CHAIRMAN FLEENER: Right. But what I think Frank is
13 saying is we would be protecting that right for rural
14 residence, but only those in the Ahtna corporation, I guess.

15
16 MR. GINNIS: No, I.....

17
18 CHAIRMAN FLEENER: Frank is also looking for.....

19
20 MR. GINNIS: No, I think we need to clarify this
21 motion, okay. I amended the original motion. The motion that
22 was made was to approve the Proposal as it's stated here, the
23 question that these communities right here be included. I
24 amended that motion to say, let's include the Ahtna villages.

25
26 CHAIRMAN FLEENER: Okay. So all the ones listed and
27 the Ahtna villages?

28
29 MR. MATHEWS: We need to clarify that. Steven, I know
30 that -- I apologize for doing this, but the original motion was
31 to adopt the proposal as written, correct?

32
33 MR. GINNIS: Correct.

34
35 CHAIRMAN FLEENER: Yes.

36
37 MR. MATHEWS: Not the analysis on Page 14?

38
39 MR. GINNIS: I didn't say anything about an analysis.
40 We're debating.....

41
42 MR. MATHEWS: Okay.

43
44 MR. GINNIS:who should be included in this
45 proposal.

46
47 MR. MATHEWS: Okay, so.....

48
49 MR. GINNIS: Because there's other communities it seems

50 to me that have some interest in this. So as a result of that,

00222

1 I'm asking my amendment is to include those Ahtna villages.

2

3 MR. MATHEWS: Okay. So that right now if this motion
4 was acted upon by the board, the c&t determination would be
5 rural residents of Unit 12, particular residents of Tanacross,
6 Tok, Northway and Tetlin, residents of McCarthy and Kennicott,
7 residents of the Native Village of Dot Lake your amendment and
8 the seven Ahtna villages. Is that clear to everyone that that
9 would be the action?

10

11 MR. GINNIS: Yes.

12

13 CHAIRMAN FLEENER: Yes.

14

15 MR. MATHEWS: Okay, thank you.

16

17 MR. ENTSMINGER: I think Glennallen should be included
18 in that -- in one of the communities, because there's a lot of
19 people in Glennallen that utilize goat also.

20

21 CHAIRMAN FLEENER: Okay. Is there anymore discussion?
22 Any more discussion on this motion.

23

24 MR. GOOD: Just one comment. The people we're dealing
25 with here, both Native and white were there prior to the park
26 and it's somewhat irritating to hear park people referring to a
27 history in the area when the park has no history other than
28 just a few short years ago. It was the park that closed the
29 door to everyone to hunt there. And the problem is not on the
30 part of the people who now have to apply to get in. The
31 problem was created by the building of this national park. And
32 I'd also like to note that part of that park is in Unit 12.

33

34 MR. STARR: Yes.

35

36 MR. GOOD: And so therefore, this park is within Unit
37 12. It's not that they're applying to a park that is
38 completely within another unit.

39

40 CHAIRMAN FLEENER: Okay. Let's hurry up with this
41 motion because the food's going to get cold. Is there anymore
42 discussion on it? Yes, Bruce.

43

44 MR. GREENWOOD: I think I'd just like to make this
45 comment is that, this is not the National Park Service right
46 here at all, this is about goat in Unit 11. And the park had
47 no influence on not having goat c&t or goat season out there.
48 And the second thing is I'm a little bit confused on the
49 motion. I understood Steve's motion was only to have the seven

50 Ahtna villages?

00223

1 MR. GINNIS: No.

2
3 CHAIRMAN FLEENER: No, to include the Ahtna villages.

4
5 MR. GREENWOOD: Okay.

6
7 MR. GINNIS: Let me clarify this motion again in case
8 you quite can't understand it.

9
10 CHAIRMAN FLEENER: I think the whole Council
11 understands the motion.

12
13 MR. GINNIS: Okay. The motion that was first put on
14 the table here was to approve this proposal as it was written,
15 okay. Now, after we had this discussion it was obvious to me
16 that there is some Ahtna villages that would like to be
17 considered in this process. So my amendment to the motion was
18 to include those villages, which also would include these
19 villages that are currently listed here.

20
21 CHAIRMAN FLEENER: I think Bruce has it now.

22
23 MR. GREENWOOD: I've got it.

24
25 CHAIRMAN FLEENER: Anymore discussion on the motion?
26 No more discussion.

27
28 MR. MILLER: Question.

29
30 CHAIRMAN FLEENER: Oh, thank you. The question's been
31 called. All in favor of the motion signify by saying aye.

32
33 IN UNISON: Aye.

34
35 CHAIRMAN FLEENER: All opposed same sign.

36
37 (No opposing votes)

38
39 CHAIRMAN FLEENER: Motion passes. Let's break for
40 lunch. One hour for lunch, we'll reconvene at 1:20.

41 (Off record)

42 (On record)

43
44 CHAIRMAN FLEENER: I'd like to call the meeting back to
45 order, please.

46
47 MR. MATHEWS: Mr. Chairman, I just need to make one
48 quick announcement before we get back to proposals. We have
49 provisions to cover your lodging at the homes that you're

50 staying in so that you don't need to assist in covering that

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1 cost. I'll be working through Julie Roberts of the Tanana
2 Tribal Council and they will distribute that to the homes that
3 you're staying at, okay. So I wanted to let you know that and
4 that's it for announcements and we're ready to go on to the
5 next proposal.

6
7 Okay, the next proposal is Proposal 23 which covers
8 Units 11, 12, 13 and 20. It's a brown bear proposal. It's a
9 c&t revision proposal.

10
11 MR. GOOD: Mr. Chairman, I move to adopt Proposal 23 so
12 we can begin formal discussion.

13
14 MR. GINNIS: I will second the motion.

15
16 CHAIRMAN FLEENER: There's a motion and a second.
17 Discussion?

18
19 MR. MATHEWS: Mr. Chairman, the public comments that
20 you've received on that is the summary, I have copies of the
21 full text. I will brief -- well, does the State want to cover
22 their comment or do you want me to summarize?

23
24 MR. GINNIS: What proposal are we on now?

25
26 MR. MILLER: Twenty-three.

27
28 MR. MATHEWS: Okay, I will summarize and if I get it
29 right or wrong, they'll let me know. Okay. Proposal 23
30 comments, they're deferring on that. Residents of the unit
31 have occasionally hunted brown bear. It's unclear if the
32 available documentation for the subject communities support a
33 positive c&t finding in the area as requested. You also got a
34 comment from the Wrangell-St. Elias SRC. They support amended
35 proposal, which includes all rural residents of Units 11, 12,
36 13 and Dot Lake. And finally you got a comment from Upper
37 Tanana Fortymile, which they recommend Upper Tanana residents
38 be acknowledged and granted a c&t use in Unites 11, 12, 13,
39 20(D), 20(E), 25(B) and (C). We also reviewed this proposal
40 during the informational workshop and Chuck will add more if
41 need be. That group agreed that the recommendation -- they
42 agree with the recommendation that the proposal be rejected.
43 And that's it that we have.

44
45 CHAIRMAN FLEENER: Okay. Do the SRC's support this
46 proposal?

47
48 MR. ENTSMINGER: Yes, they did. Right now grizzly bear
49 is not a c&t use animal or at least on the Federal books. It's

50 not acknowledged as being utilized as a subsistence animal.

00225

1 But here again, people in the past have killed bear, ate them,
2 used their fat for cooking, that type of thing. So we believe
3 that grizzly or brown bear should be included as a subsistence
4 animal.

5

6 CHAIRMAN FLEENER: Thank you, Frank. Do you have
7 anything to add Terry.

8

9 MR. HAYNES: Mr. Chairman, just to clarify that we
10 don't have a position at this time. It's just that we don't
11 know if there is enough information that support the eight
12 factors that are used in the process.

13

14 CHAIRMAN FLEENER: Okay. Are there any -- yes, Bruce.

15

16 MR. GREENWOOD: Yes, I didn't do my portion of this.

17

18 CHAIRMAN FLEENER: Okay, go ahead.

19

20 MR. GREENWOOD: That the Staff conclusion was that
21 there was evidence that brown bear was historically harvested
22 by residents of Unit 12 and 20(D). It appears that brown bear
23 are not harvested as frequently now as in the past. Research
24 shows that in the mid- to late 1980s communities in Unit 12 and
25 20(D) show that at that time little, if any, harvested brown
26 bear was eaten. Recorded harvests have occurred probably in 12
27 and 20(D), there does not appear to be a strong tradition among
28 Upper Tanana residents traveling to Units 11 or 13 to harvest
29 brown bear. Tok is the only Upper Tanana community resident
30 that reports hunting brown bear, but not harvesting it in small
31 portion of 11. Tok and Tanacross residents report hunting
32 brown bear in a small portion of 13(C) and 20(D).

33

34 CHAIRMAN FLEENER: Okay. Is there any further
35 discussion on this proposal?

36

37 MR. GINNIS: Mr. Chairman?

38

39 CHAIRMAN FLEENER: Yes.

40

41 MR. GINNIS: You know, after reviewing this proposal
42 here, you're referring to 20(E)?

43

44 MR. ENTSMINGER: Well, what we have to make clear here
45 is that although there's a huge amount of land in the Wrangell-
46 St. Elias area, there are other Federal lands in 20(E) that the
47 residents of 12 and other area people harvest from. So these
48 c&t's not only include Wrangell-St. Elias but they include
49 Yukon-Charlie Rivers Preserve, BLM lands, that -- you know,

50 there's portions that -- or like the Tetlins National Wildlife,

00226

1 a lot of Federal lands within these GMUs.

2
3 MR. GINNIS: Mr. Chairman?

4
5 CHAIRMAN FLEENER: Yes.

6
7 MR. GINNIS: The reason why I raise the issue is simply
8 that I don't see it listed in bold like the other units are in
9 here. So we're talking about including 20(E) and it's not in
10 bold, right, and I see it down here, the rural residents of
11 Unit 12 and unit 20(E), east of Johnson River and the residents
12 of Healy Lake. But I was just curious why it isn't listed here
13 in bold letters including Unit 20(E). You know what I'm trying
14 to say?

15
16 CHAIRMAN FLEENER: Okay.

17
18 MR. GINNIS: Take a look at.....

19
20 CHAIRMAN FLEENER: Page 16?

21
22 MR. GINNIS:the units listed. It's got Units 11,
23 Unit 13 and on down. It doesn't have Unit 20(E) in bold, but
24 it refers to it here.

25
26 MR. MATHEWS: I think you're referring to that the
27 proposed regulation does not have it in the grey hashing, I
28 think that's just a computer error.

29
30 MR. GINNIS: Okay.

31
32 MR. MATHEWS: Because 13, as it stands now, is a no
33 Federal subsistence priority. It should have been highlighted,
34 it just wasn't.

35
36 CHAIRMAN FLEENER: Anymore discussion?

37
38 MR. GINNIS: Question on the motion.

39
40 CHAIRMAN FLEENER: Question's called. All in favor of
41 the motion signify by saying aye.

42
43 IN UNISON: Aye.

44
45 CHAIRMAN FLEENER: All opposed same sign.

46
47 (No opposing votes)

48
49 CHAIRMAN FLEENER: Motion carries.

00227

1 MR. GINNIS: Mr. Chairman, I'd like to move to discuss
2 Proposal 24A.

3
4 CHAIRMAN FLEENER: There's a motion, is there a second?

5
6 MR. STARR: Second.

7
8 MR. GINNIS: Okay.

9
10 CHAIRMAN FLEENER: John Starr seconded. Discussion?

11
12 MR. MATHEWS: Yes, we're on Proposal 24. Just for the
13 record, 24 is caribou in Units 11, 12 and 13. Public comment
14 has only been received from the Alaska Department of Fish and
15 Game.

16
17 CHAIRMAN FLEENER: Vince, I see that we have 24A, B and
18 C, are you handling all three of these at once?

19
20 MR. MATHEWS: The only comment we have on all of them A
21 through H is from the Alaska Department of Fish and Game.

22
23 CHAIRMAN FLEENER: Okay.

24
25 MR. MATHEWS: That I know of unless Frank -- unless one
26 of the advisory committees or the SRC has taken any position on
27 24, which I believe they have. Yes, 24 did -- Wrangell-St.
28 Elias supports 24 with an amended proposal which provides for
29 c&t use for all rural residents of GMU's 11, 12, 13 and Dot
30 Lake.

31
32 MR. GINNIS: What was the amendment now?

33
34 MR. MATHEWS: Their amendment for the Wrangell-St.
35 Elias SRC is that all rural residents of Units 11, 12, 13 and
36 Dot Lake, Dot Lake is in Unit 20(D).

37
38 CHAIRMAN FLEENER: Bruce.

39
40 MR. GINNIS: Which one are you talking about, 24A
41 aren't we?

42
43 MR. GREENWOOD: This proposal -- this actually consists
44 of eight proposals and it includes some backlog, some deferred
45 and some new c&t proposals. It's all been lumped into Proposal
46 24 for analysis purposes. Some of these proposals actually are
47 contrary to each other. And how the Staff -- when the Staff
48 when through and analyzed it, it summarized it and you might
49 refer to the handout I handed you yesterday evening. What I

50 took there is I took the conclusions and I summarized them into

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1 a succinct package and it lists each one, for example, to
2 reject Proposal 24A. And it goes through there and it shows
3 which ones were rejected or modified by -- as the Staff
4 conclusion.

5
6 MR. GINNIS: You lost me there somewhere along the
7 line. Are we dealing with Proposal 24A all the way back to 24G
8 or are we.....

9
10 CHAIRMAN FLEENER: H.

11
12 MR. GINNIS:or 24H? Are we dealing with these as
13 one packet or what?

14
15 MR. GREENWOOD: Yes. The Council can deal with this as
16 one packet under Proposal 24. This is where it gets a little
17 bit more technical for the record depending on the motion that
18 the Council makes would determine how you would handle that.
19 For example, you could adopt or reject each one of those.

20
21 MR. GINNIS: What's your recommendation, deal with it
22 as a package? If that's the case, then you know, my motion was
23 to deal with 24A, just 24A.

24
25 MR. GREENWOOD: It's -- you could do it that way, but
26 what we're talking about is we're talking about the same
27 caribou herd and the same users for this entire area. And it
28 might be better to just discuss 24 in general, because your
29 recommendation may essentially include -- your recommendation
30 may cover all the -- all the subproposals within that. You can
31 make one -- I'll restate that.

32
33 You can make one recommendation that may -- for 24 that
34 may cover all the A through H without having to take each one
35 of those.

36
37 CHAIRMAN FLEENER: Are you done?

38
39 MR. GINNIS: In that case, Mr. Chairman, I think maybe
40 I should withdraw my motion. My motion was pretty directive, I
41 think we're talking -- was to discuss 24A. You know, I didn't
42 realize that this was all basically in one -- a package, kind
43 of a package deal.

44
45 CHAIRMAN FLEENER: Okay.

46
47 MR. GINNIS: So with the approval of the second, I
48 would like to restate the motion.

49

CHAIRMAN FLEENER: John, do you wish to withdraw your

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1 second on that motion?

2

3 MR. STARR: Yes.

4

5 CHAIRMAN FLEENER: John withdraws, Steven also
6 withdraws. Steve thought that this was only one proposal, but
7 there's a bunch of proposals combined, so we want to handle it
8 all together instead of individually.

9

10 MR. STARR: All right.

11

12 CHAIRMAN FLEENER: Okay. He agrees to discuss them
13 altogether.

14

15 MR. GINNIS: Okay. Now, Bruce, would it be appropriate
16 to move that the motion would be to move to approve Proposals
17 24A through H or do you want me to just make a motion to say
18 something to the effect that we'll deal with Unit 11 or what?

19

20 MR. GREENWOOD: Um.....

21

22 MR. GINNIS: I mean if you want to try to deal with
23 these altogether like this, then we need some kind of a motion.

24

25 MR. GREENWOOD: I'll give you a couple of examples that
26 might help explain my point. If you adopted the SRC
27 recommendation, for example, the SRC recommendation would be
28 all inclusive and would cover all of these. If you want to
29 look at each one of these, then we could reject or adopt each
30 one of these.

31

32 But the overall issue discusses the caribou population
33 and the harvest of the caribou population in Units 11, 12 and
34 13.

35

36 MR. GINNIS: Yeah, thank you for the explanation. But
37 I'm trying to ask for some direction on the motion itself.

38

39 CHAIRMAN FLEENER: I saw make a.....

40

41 MR. GREENWOOD: Excuse me, Steve, I'm not sure what
42 your motion would be, therefore I have a hard time advising you
43 on that.

44

45 MR. GINNIS: Well, see when I originally made my motion
46 it was to deal with 24A. And then you kind of switched gears
47 on me and started talking about the whole -- these proposals as
48 one, so I'm trying to get to how do I get that motion in a
49 motion form to discuss it as you're trying to present it here.

00230

1 MR. GREENWOOD: If you adopted Proposal 24A, you'd be
2 adopting the most broadest proposal of the eight.

3
4 MR. GOOD: Mr. Chairman, I propose we adopt 24A through
5 H.

6
7 CHAIRMAN FLEENER: There's a motion to adopt Proposal
8 24A through H. Is there a second?

9
10 MR. TITUS: I do.

11
12 CHAIRMAN FLEENER: Philip Titus seconds that motion.
13 Discussion? Anymore discussion Bruce or Vince?

14
15 MR. MATHEWS: I provided public comment on that
16 already.

17
18 CHAIRMAN FLEENER: Okay.

19
20 MR. GREENWOOD: I could -- what the Staff conclusion
21 recommends would be rejecting Proposal 24A.

22
23 CHAIRMAN FLEENER: On what?

24
25 MR. MATHEWS: Okay, you need to look at.....

26
27 CHAIRMAN FLEENER: Yeah, I got it.

28
29 MR. MATHEWS:or look on Page 77 of your brown
30 book, it would give you the full text of that, whichever you're
31 more comfortable with.

32
33 MR. GREENWOOD: I'd like to explain what -- what the
34 Staff has done here is rejected some and adopted some.

35
36 CHAIRMAN FLEENER: Okay. Why don't you give us the
37 ones you've rejected and then give us the ones you'll go along
38 with so we can keep them together.

39
40 MR. GREENWOOD: Okay. Well, we rejected Proposal 24A,
41 Proposal 24B, Proposal 24D, 24E, 24F, 24H. We've accepted 24C.
42 This would give positive customary and traditional use for
43 caribou in Unit 12, the residents of Unit 12, the village of
44 Dot Lake and Mentasta Lake. What this would do is this would
45 allow the residents in Unit 12 to harvest the Nelchina caribou
46 herd, which in the past they have not been able to harvest.

47
48 CHAIRMAN FLEENER: So all residents in Unit 12 under
49 this will be able to harvest caribou?

00231

1 MR. GREENWOOD: Within Unit 12.

2
3 CHAIRMAN FLEENER: Okay.

4
5 MR. GREENWOOD: All caribou within Unit 12, including
6 Dot Lake and Mentasta Lake.

7
8 CHAIRMAN FLEENER: Okay. Frank, you have comments on
9 this?

10
11 MR. MILLER: Yeah, actually that 24C would address our
12 concerns. I think that would be adequate.

13
14 CHAIRMAN FLEENER: So you would agree that adopting
15 only 24C would be satisfactory to the SRC's needs?

16
17 MR. GINNIS: Mr. Chairman?

18
19 MR. ENTSMINGER: Well, I can read you the
20 recommendation that the SRC put in. We recommend -- we lumped
21 them altogether, too. And we just were talking about caribou
22 and it was our recommendation to make just one amended proposal
23 to include all residents of 11, 12, 14 and 20(E) and 20(D).
24 Actually 20(E) plus residents of Dot Lake.

25
26 MR. GINNIS: So.....

27
28 MR. ENTSMINGER: This Proposal 24C addresses everything
29 except Dot Lake's usage of Unit 11 which our SRC proposal would
30 include Dot Lake and Unit 11.

31
32 CHAIRMAN FLEENER: Steve.

33
34 MR. ENTSMINGER: Our amended proposal, amended to
35 include residents of 11, 12, 13 20(E) and 20(D).

36
37 CHAIRMAN FLEENER: So it's basically the same as what
38 they're recommending except you include Dot Lake?

39
40 MR. ENTSMINGER: Right.

41 MR. MILLER: That Proposal 24C?

42
43 MR. GINNIS: 24C has Dot Lake in there.

44
45 MR. GREENWOOD: Mr. Chair?

46
47 CHAIRMAN FLEENER: Yes.

48
49 MR. GREENWOOD: The Staff also adopted Proposal 24G.

00232

1 CHAIRMAN FLEENER: G?

2

3 MR. GREENWOOD: Yes.

4

5 CHAIRMAN FLEENER: All right, where is that at?

6

7 MR. GREENWOOD: 24G would give the residents of Dot
8 Lake, rural residents of Unit 12 customary and traditional use
9 in Unit 11, that the use is only in the northern portion of
10 Unit 11 just north of the Sanford River.

11

12 CHAIRMAN FLEENER: Frank.

13

14 MR. ENTSMINGER: Yeah, actually that's the one that we,
15 you know, that doesn't include all of Unit 11, but basically
16 the caribou herd just -- that's where it resides is on the
17 northern portion of the park there. So that would probably
18 address our needs.

19

20 CHAIRMAN FLEENER: Okay, Terry.

21

22 MR. HAYNES: Mr. Chairman, Terry Haynes. If the
23 Council supports Proposal 24C, we had a concern with the
24 justification in that proposal. And it appeared that the
25 justification in Proposal 24C was because there are more
26 caribou occurring in Unit 12 during the winter months then you
27 should allow more communities to hunt them. In our judgment
28 that has nothing to do with whether there's a customary and
29 traditional use of the caribou. The fact that there are more
30 caribou available does not make a customary and traditional use
31 exist. If there's a c&t use of caribou, it exists because
32 communities or groups of people meet the criteria, not because
33 there are more caribou in the area.

34

35 CHAIRMAN FLEENER: And what wording are you looking at
36 in here that would say that the reason they're doing this is
37 because there's more caribou?

38

39 MR. GINNIS: Mr. Chairman?

40

41 CHAIRMAN FLEENER: Yeah, Steve.

42

43 MR. GINNIS: Do we have any -- I think there are -- I
44 don't know, if I understand you correctly, we're trying to
45 determine c&t's, okay. And I guess I don't buy just what you --
46 what you just got done saying, you know. I still don't
47 understand where you're coming from. You need to be a little
48 more, if you would, explain a little more what you're saying
49 there? I mean just simply because the population of the

50 caribou might be healthy doesn't necessarily mean that it

00233

1 should be opened up to everybody and their brother.

2

3 MR. HAYNES: Mr. Chairman. That's what I'm saying,
4 Steve.

5

6 MR. GINNIS: Okay. All right. Yeah, well it didn't
7 sound that way to me, it sounded the other way.

8

9 MR. HAYNES: Well, sometimes I talk like a bureaucrat.

10

11 MR. GINNIS: The other thing, Mr. Chairman, it's just a
12 technical thing. You know, when we originally started talking
13 these proposals, the motion was to approve 24A through H. And
14 then we started getting into discussion and they say, well, the
15 recommendation reject this one, reject this one and the only
16 one that was about left was 24C. And so I'm not sure that's
17 consistent with the motion of how we're dealing with this
18 issue.

19

20 CHAIRMAN FLEENER: Yeah. We have to put it on the
21 table for discussion. And so once we're done discussing it, we
22 can let the motion die and then just move to -- we can move to
23 adopt the SRC's recommendations, whatever, we can let this
24 motion die if that's the will of the Council. Or we could
25 amend it which might be more complicated.

26

27 All right, Terry are you done?

28

29 MR. HAYNES: Yes.

30

31 CHAIRMAN FLEENER: Does the Council have any comments?
32 Yes, Nat?

33

34 MR. GOOD: If the second has no objections, I will
35 amend my motion to read Proposals 24C and 24G.

36

37 CHAIRMAN FLEENER: Who seconded that?

38

39 MR. TITUS: I did.

40

41 CHAIRMAN FLEENER: Philip did, yeah. Okay, Philip goes
42 along with it. So it stands amended to adopt Proposal 24C and
43 24G and to reject the other ones.

44

45 MR. GOOD: Question.

46

47 CHAIRMAN FLEENER: The question's been called on the
48 motion. All in favor of the motion signify by saying aye.

49

00234

1 CHAIRMAN FLEENER: All opposed same sign.

2
3 (No opposing votes)

4
5 CHAIRMAN FLEENER: Motion carries.

6
7 MR. MATHEWS: Mr. Chairman, just to make it clear then,
8 as the proposal is written, 24C and G, that's what you're
9 saying, no modifications?

10
11 CHAIRMAN FLEENER: Yes.

12
13 MR. MATHEWS: Is it as modified or not?

14
15 CHAIRMAN FLEENER: I don't think we modified it. It's
16 just C and G.

17
18 MR. MATHEWS: Okay. All right.

19
20 CHAIRMAN FLEENER: Proposal 25. Now, there's lots of
21 these, too, so let's make sure we -- okay, there's 25A through
22 H again. Nat.

23
24 MR. GOOD: For purposes of discussion, I'd like to move
25 that we accept Proposal #25 A through H.

26
27 CHAIRMAN FLEENER: There's a motion made by Nat Good,
28 is there a second?

29
30 MR. GINNIS: Second.

31
32 CHAIRMAN FLEENER: Second by Steve Ginnis. Discussion?

33
34 CHAIRMAN FLEENER: Mr. Chairman, we do not have any
35 public comments on 25. I think Wrangell-St. Elias did have
36 some comments on it. And I think Frank will preside that. The
37 informational workshop group agreed to recommend to adopt the
38 preliminary conclusions, with clarification for 25D to say,
39 Healy Lake and 25(D). And they also agreed that other
40 communities could submit proposals next year that are not --
41 that may qualify but are not involved in this analysis.

42
43 CHAIRMAN FLEENER: Bruce.

44
45 MR. GREENWOOD: And again, we have eight proposals,
46 collectively they make various requests for a positive c&t for
47 taking a sheep in Unit 11 and 12 by the residents of various
48 communities who do not have traditional use in one or more of
49 these units. The Staff conclusion is to reject Proposal 25A,

50 reject 25D, and adopt 25B with modification, that positive

00235

1 customary and traditional use determination is only for the
2 community of Northway and only the portion of Unit 11, north of
3 Sanford River.

4
5 CHAIRMAN FLEENER: Maybe we can go over the rejects
6 first.

7
8 MR. GINNIS: Excuse me, you're on 25B?

9
10 MR. GREENWOOD: Correct.

11
12 MR. GINNIS: B.

13
14 CHAIRMAN FLEENER: They reject 25D.

15
16 MR. GREENWOOD: The reasons for this were that claims
17 for traditional use of sheep in Unit 11 are based primarily on
18 family origins and ties in the various Upper Tanana
19 communities, especially from Dot Lake, whose elders have come
20 from Upper Tanana groups. There's no present evidence of the
21 continuation of active harvesting of sheep in the ancestral
22 areas on a sustained basis. For Northway, there is evidence of
23 use in the Nabesna Road area that is traditional, continued
24 into the present period and based on long-term multi-
25 generational ties to families of Upper Ahtna now residing
26 primarily in Chistochina.

27
28 Also 25C, also.....

29
30 CHAIRMAN FLEENER: Could you go over the rejects first
31 and then we'll go over the ones you approve so we keep them
32 in.....

33
34 MR. GREENWOOD: We reject 25D.

35
36 CHAIRMAN FLEENER: Okay. 25C is one that we recommend
37 adopting. The reason is the Copper River villages of Mentasta
38 and Chistochina both have ties to Unit 12 in the Upper Nabesna
39 area through both traditional and historic use into the 1950s.
40 Chistochina has very strong multi-generational and multi-family
41 ties to the Upper Chisana area as well. These people are
42 strongly interconnected to families at Northway as well as
43 Mentasta. This would give those two communities c&t in Unit 12
44 for sheep.

45
46 CHAIRMAN FLEENER: What about 25E, F and G which says
47 reject in here on Page 127.

48
49 MR. GREENWOOD: That's correct. We would reject 25E, F

50 and G. We would adopt 25H, which would combine the Tok

00236

1 Management area with the rest of Unit 12. And this would limit
2 the no-subsistence priority for the Tok Management area. It's
3 essentially a housekeeping proposal that would bring the
4 Federal regulations in line with the State regulations.

5

6 CHAIRMAN FLEENER: Okay, Frank, what does the SRC say?

7

8 MR. ENTSMINGER: The SRC recommends that all the people
9 in Units 11, 12 and 13 be granted a positive c&t for sheep.
10 There's tons of documented evidence of Upper Tanana's usage of
11 the sheep in those units.

12

13 CHAIRMAN FLEENER: And how would the SRC's opinion
14 align with this?

15

16 MR. ENTSMINGER: It would greatly differ. Their
17 recommendation is very, very restrictive. It would keep a lot
18 of legitimate subsistence users from harvesting sheep in Unit
19 11.

20

21 CHAIRMAN FLEENER: Okay. Harry. Oh, wait a minute, we
22 have a question. Steve.

23

24 MR. GINNIS: How does that proposal restrict them?

25

26 MR. ENTSMINGER: It excludes them.

27

28 MR. GINNIS: It excludes them?

29

30 MR. ENTSMINGER: Yes. Because basically.....

31

32 MR. GINNIS: Is this based on communities or residents?

33

34 MR. ENTSMINGER: On communities. They're just allowing
35 certain communities in and leaving other communities out.

36

37 CHAIRMAN FLEENER: Terry.

38

39 MR. HAYNES: Mr. Chairman, Terry Haynes. I'm wondering
40 if Bruce could just tell us what communities would have a c&t
41 use of sheep in what units under the recommendation made by the
42 Staff on this? I'm having a little trouble following what's
43 being supported and what's being rejected.

44

45 MR. GREENWOOD: Okay, I could do that. Right now, our
46 conclusions would give Dot Lake c&t in Unit 11 -- no excuse me,
47 our proposal would give Chistochina c&t for sheep in Unit 12
48 and Mentasta Lake c&t in Unit 12 for sheep. It would only give
49 Northway c&t for sheep in Unit 11. And that would be for the

50 area north of the Sanford River.

00237

1 CHAIRMAN FLEENER: Terry.

2

3 MR. HAYNES: Mr. Chairman. You're saying that
4 communities -- those are the only positive c&t findings that
5 are in your proposal?

6

7 MR. GREENWOOD: Correct. The existing c&t is for the
8 communities -- primarily communities of Unit 11, Chisana in
9 Unit 12 and the communities of 13A, B and C. I could read each
10 community off that presently has c&t if Terry would prefer
11 that?

12

13 CHAIRMAN FLEENER: I don't think that's necessary, do
14 you Terry?

15

16 MR. HAYNES: No.

17

18 MR. GINNIS: I don't think so either.

19

20 CHAIRMAN FLEENER: Okay, anything further, Terry?
21 What's the State's.....

22

23 MR. HAYNES: Mr. Chairman, no, we have no comments at
24 this time. We wanted to read these analysis and we may have
25 comments at the Board meeting.

26

27 CHAIRMAN FLEENER: Okay. Any further discussion by the
28 Council?

29

30 MR. GOOD: Question's been called on the motion.

31

32 MR. GINNIS: Now, the motion.....

33

34 COURT REPORTER: Who called that?

35

36 CHAIRMAN FLEENER: His motion is -- the question's been
37 called by Nat. The motion is to adopt 25A through H. And the
38 question's been called on the motion. And if we adopt 25A
39 through H, that would go against the SRC's recommendation
40 and.....

41

42 MR. TITUS: Vote it down.

43

44 CHAIRMAN FLEENER:and will only give customary
45 and traditional use to Chistochina and Mentasta and Units 12
46 and Northway and Unit 11, it will leave out the other villages
47 that the SRC's want to include.

48

49 MR. GINNIS: I ask for the question.

00238

1 CHAIRMAN FLEENER: The question's been called. All in
2 favor of the motion signify by saying aye.

3
4 (No affirmative votes)

5
6 CHAIRMAN FLEENER: All opposed same sign.

7
8 IN UNISON: Aye

9
10 CHAIRMAN FLEENER: Motion fails.

11
12 MR. MATHEWS: The motion?

13
14 MR. GINNIS: The motion is to approve.....

15
16 CHAIRMAN FLEENER: What you can do.....

17
18 MR. GINNIS:24C.....

19
20 CHAIRMAN FLEENER: What you can do if you want to make
21 a motion to support the SRC's recommendation, we can do that,
22 if that's -- if the Council agrees with their recommendation.

23
24 MR. GOOD: Mr. Chairman, I move we support the SRC's
25 recommendations.

26
27 CHAIRMAN FLEENER: There's a motion on the floor, is
28 there a second?

29
30 MR. TITUS: Second.

31
32 CHAIRMAN FLEENER: Second by Philip Titus. Discussion?

33
34 MR. GINNIS: Yes, sir, what proposal are we talking
35 here. We just can't say we're going to support the SRC's
36 position.

37
38 CHAIRMAN FLEENER: Well, Frank went over their
39 position. I guess he could give a little more background, what
40 communities would be involved.

41
42 MR. GINNIS: No, I'm talking about for the record.

43
44 CHAIRMAN FLEENER: Right. That's what he's going to
45 do, he's going to tell us what the SRC's official stand is on
46 this, on the 25 proposals. Go ahead.

47
48 MR. ENTSMINGER: The SRC lumped all the sheep proposals
49 together and made an amended proposal to basically adopt all

50 those proposals, but with the amendment of just including

00239

1 residents -- to include residents of 11, 12 and 13 for the
2 usage of sheep.

3

4 MR. GINNIS: That's -- if that's the recommendation,
5 Mr. Chairman, we just voted down a motion here to include all
6 those proposals.

7

8 CHAIRMAN FLEENER: Well, not with their -- see the
9 proposals that are in here don't include their recommendations.
10 They're only what these guys have written up. They're
11 recommendations aren't in here.

12

13 MR. ENTSMINGER: What we did was amend the proposal to
14 include 11, 12 and 13 -- residents of 11, 12 and 13.

15

16 MR. GOOD: Question, did that include Dot Lake?

17

18 MR. ENTSMINGER: Yes and Dot Lake. All of these
19 include Dot Lake.

20

21 CHAIRMAN FLEENER: Is there anymore discussion on this
22 motion?

23

24 MR. GOOD: Question.

25

26 CHAIRMAN FLEENER: Question's been called. All in
27 favor of the motion signify by saying aye.

28

29 IN UNISON: Aye.

30

31 CHAIRMAN FLEENER: All opposed same sign.

32

33 (No opposing votes)

34

35 CHAIRMAN FLEENER: Motion carries. Proposal 26. Nat.

36

37 MR. GOOD: Mr. Chairman, I propose that we adopt
38 Proposals 26A through 26D.

39 CHAIRMAN FLEENER: Okay. There's a motion on the floor
40 by Nat Good. Is there a second?

41

42 MR. MILLER: Second.

43

44 CHAIRMAN FLEENER: Second by Charles Miller.
45 Discussion? Vince.

46

47 MR. MATHEWS: Yes, Mr. Chairman, according to my
48 records we have no public comments on Proposal 26, which deals
49 with moose in Units 11, 12, 13 and 20. The State may have a

50 comment and then the SRC may also. At the meeting at the

00240

1 informational workshop on this proposal between the two
2 Regional Councils, they're recommendation was agreed to support
3 the preliminary conclusions, with the modification that Healy
4 Lake be included in 20(D) and in north of Sanford River and
5 Unit 11 and Unit 12. And Chuck can elaborate more on that if
6 need be.

7
8 CHAIRMAN FLEENER: Go ahead, Bruce.

9
10 MR. GREENWOOD: I'll go through before and I'll list
11 the ones we rejected first. Proposal 26 we rejected 26A.
12 There's not sufficient information to make a recommendation for
13 such a sweeping change to give positive c&t for moose in Units
14 11, 12 and 13.

15
16 We recommend adopting with modification 26B, which
17 would -- which is to provide the residents of Tok c&t for moose
18 in Units 11, 12 and 13. The modification is that the customary
19 and traditional use within Unit 11 would be north of the
20 Sanford River. The c&t in Unit 12 and c&t in Unit 13(C) versus
21 all of 13.

22
23 We would also.....

24
25 COURT REPORTER: Could you hold on a second Bruce,
26 sorry.

27
28 (Tape malfunction - no loss of record)

29
30 MR. GREENWOOD: We would also modify Proposal 26C that
31 would provide a positive c&t determination for the residents of
32 Units 12 and 20(D) east of the Johnson River for moose hunting
33 on the northern portion of Units 11 north of the Sanford River,
34 Unit 13(C) and Unit 20(D).

35
36 And we would also modify Proposal 26(D), which
37 essentially would add Dot Lake and Unit 12 residents to the
38 present c&t for Units 11 and 13(A), (B), (C) and (D).

39 I'll go through and summarize the overall
40 recommendation.

41
42 CHAIRMAN FLEENER: Well, isn't the recommendation right
43 here, basically to add a positive determination for residents
44 Unit 12 and 20(D) east of the Johnson River to the current
45 determinations for portion of Unit 11, 12, 13(C) and 20(D)?

46
47 MR. GREENWOOD: Yes. What I'll do, like Terry asked me
48 earlier with sheep, I'll go through and list what the changes --
49 what the overall change would result in for this area by

50 adopting these.

00241

1 This would provide c&t for moose for Dot Lake,
2 Northway, Tanacross, Tetlin and Tok, c&t for Unit 11, north of
3 the Sanford River. In Unit 12, there would be no change. Unit
4 13, Chisana, Dot Lake, Northway, Tanacross, Tetlin and Tok
5 would have c&t in Unit 13(C). In Unit 20(D) Chisana, Northway,
6 Tanacross, Tetlin and Tok would be added to the positive c&t
7 determination for Unit 20(D).

8
9 CHAIRMAN FLEENER: I see that part of your
10 justification down here is that because there's a lot of
11 distance to travel, that that seems like one of the key reasons
12 you used. That there's probably not a historic tie to using
13 moose?

14
15 MR. GREENWOOD: That's one reason why the recommended
16 restriction, north of the Sanford River is because of the
17 distance involved in traveling beyond that point.

18
19 CHAIRMAN FLEENER: I read some Federal reports not too
20 long ago that actually stated that people in the old days
21 traveled further distances and now we're actually traveling
22 less distances. So I don't know if that would actually be a
23 valid argument if our circle is getting tighter and they
24 traveled further distances in the past. Anyway, is that all
25 you have Bruce?

26
27 MR. GREENWOOD: Yes.

28
29 CHAIRMAN FLEENER: Okay. Philip.

30
31 MR. TITUS: I got a question for Bruce.

32
33 CHAIRMAN FLEENER: Go ahead.

34
35 MR. TITUS: How come you want to restrict the
36 subsistence users and tell him you can't harvest his stuff for
37 subsistence when traditionally they live off the resource?
38 Where's the justification in that, because it don't say it on
39 paper?

40
41 MR. GREENWOOD: The recommendation is is that they have
42 harvested -- at least that they've harvested the resource, we
43 say that they harvested in a certain traditional area closer t
44 their communities. The areas that we're recommending that they
45 do not harvest in are the areas that are further away where
46 other people -- that's within other people's traditional
47 harvest and use areas.

48
49 MR. TITUS: Well, if the animals are not there, you got

50 to have areas to go look for them in instead of you drawing

00242

1 boundaries and saying you can't go get food from this certain
2 part of the country even though it's got the resources there.
3 It's kind of ridiculous.

4
5 CHAIRMAN FLEENER: Yeah. I think we can basically
6 officially say that we share the traditional lands of the
7 concurrent villages, you know. So just to make that a public
8 record. Frank, what's your SRC's recommendation on these?

9
10 MR. ENTSMINGER: The SRC recommended for, you know,
11 usage of moose for all the residents that live in 11, 12 and 13
12 be granted a c&t use for 11, 12 and 13.

13
14 CHAIRMAN FLEENER: And you didn't see the distance as a
15 problem, your SRC in determining that?

16
17 MR. ENTSMINGER: No. No, we didn't. Especially
18 because of the problem of getting back to the resource, the --
19 what's the word here.....

20
21 CHAIRMAN FLEENER: Access?

22
23 MR. ENTSMINGER: There's the difficulty of access.
24 There's actually a lot of local people that, you know, hunt
25 around their villages, but they don't get very far back. And
26 you know, if they're not getting back to harvest the resource,
27 we don't see any reason why another person couldn't come and
28 harvest the resource there.

29
30 MR. TITUS: They don't go back there because they
31 already got their -- made a successful hunt, right?

32
33 MR. ENTSMINGER: That they either got their moose or
34 they don't want to put out the effort to go any further.

35
36 MR. TITUS: But it's got to be left open for them to
37 have the opportunity to utilize that area.

38 MR. ENTSMINGER: Exactly. Exactly, we want the door
39 left open. But in addition to that, you see, because these
40 proposals encompass areas outside the park and other Federal
41 lands, Upper Tanana was asking the usage in addition to 11, 12
42 and 13. They wanted a positive c&t for 20(D), 20(E), 25(B) and
43 25(C) and that is just the areas around their villages and what
44 not.

45
46 CHAIRMAN FLEENER: And is that in your recommendation
47 also?

48
49 MR. ENTSMINGER: Yeah, it's a separate recommendation.

50 The SRC just encompasses 11, 12 and 13.....

00243

1 CHAIRMAN FLEENER: I see.

2

3 MR. ENTSMINGER:because that's all we can deal
4 with.

5
6 CHAIRMAN FLEENER: Okay.

7

8 MR. ENTSMINGER: But our local advisory committee
9 proposal, it has these additional units.....

10

11 CHAIRMAN FLEENER: Could you read those off again,
12 slowly?

13

14 MR. ENTSMINGER: 20(D), 20(E), 25(B) and 25(C). And
15 basically that includes the areas -- it takes in the areas
16 around Dot Lake and Yukon-Charlie River Preserve. It takes in
17 a much broader area, but that's because moose is such an
18 important animal, that's where they utilize the resource.

19

20 CHAIRMAN FLEENER: Okay, Terry.

21

22 MR. HAYNES: Thank you, Mr. Chairman. We are deferring
23 our comments on this proposal. But we are going to be looking
24 at what documentation is available to support these
25 recommendations. And one question that comes to mind is what
26 documentation is available to support making a positive finding
27 for Chisana in Unit 20(D). I'm not aware of information off the
28 top of my head, but these are the kinds of things we'll be
29 looking at when we review the final proposals that go before
30 the Board.

31

32 CHAIRMAN FLEENER: Can you tell us about Chisana a
33 little bit Frank? I don't know anything about that place.

34

35 MR. ENTSMINGER: Yes, Chisana is a community lying
36 right in Wrangell-St. Elias, but it's in the preserve portion
37 of Wrangell-St. Elias. But it's not a road connected
38 community. Basically that community probably has, for the most
39 part, you know, moose available, you know, right in their local
40 area. But just to stay away from -- just to try to simplify
41 things, you know, we just included all residents of Unit 12,
42 which Chisana is.

43

44 CHAIRMAN FLEENER: To simplify the regulations?

45

46 MR. ENTSMINGER: To simplify things, yes.

47

48 CHAIRMAN FLEENER: Would there be a reason that Chisana
49 shouldn't be included, Terry, do you think? I mean I know you

50 deferred, but.....

00244

1 MR. HAYNES: Well, Mr. Chairman, one thing the Board
2 has to deal with is what evidence there is to support these
3 proposals. And if you make a recommendation, they're going to
4 be looking at what substantial evidence and ultimately that's
5 what the -- the State is pretty consistent on urging that there
6 be substantial evidence to support c&t proposals.

7
8 CHAIRMAN FLEENER: Anymore discussion on this motion?

9
10 MR. GINNIS: Mr. Chairman?

11
12 CHAIRMAN FLEENER: Yes, Steve.

13
14 MR. GINNIS: Terry, I guess I'm just curious, why are
15 you deferring any recommendation from your Department on these
16 issues? Is it because you haven't had an opportunity to review
17 these or you haven't gotten them in time? It just seems to me
18 like, you know, if we take action here on a particular proposal
19 to go off to the Federal Board, at that time, I guess you would
20 make your comments there also. But I guess it would be helpful
21 for me at this level to know if these things are actually going
22 to have the support it needs, you know. And here you're
23 deferring a lot of these actions from your -- where you're
24 sitting at. So I was just curious why that is?

25
26 MR. HAYNES: Mr. Chairman. We have deferred comments
27 on the c&t proposals because the Staff analysis were just made
28 available recently and we've not had an opportunity to review
29 the justification that was developed. And we did not feel it
30 was appropriate just to comment on a proposal without having
31 this additional documentation available. What I would hope we
32 could do in the future, Steve, is -- as the Department's role
33 with the Regional Councils continues to develop, that we could
34 come to these meetings and have more information available to
35 help you in your discussions.

36 MR. GINNIS: Okay. It sounds like a timing issue to me
37 of how these proposals -- when these proposals are put out and
38 when they are made -- put out to the public and what not. It
39 seems to me that there's some gap there that needs to be
40 corrected. Because I'd like to have as much support as
41 possible when it goes to the Federal level -- the Federal Board
42 level.

43
44 CHAIRMAN FLEENER: Yes, Vince.

45
46 MR. MATHEWS: Mr. Chairman, just for the record to let
47 you know that in 20(D), there's very little Federal lands just
48 so you are aware of that, there's less than two percent of the
49 land that's Federal land. As far as the proposal analysis

50 discussion and all that on timing, I don't know how to respond

00245

1 to that, other than the fact that the State could formulate its
2 position just based on the proposal as it's written, but they
3 wanted to see what the Staff analysis would be.

4
5 MR. HAYNES: Mr. Chairman?

6
7 CHAIRMAN FLEENER: Just a second. Did you have
8 something, Phil?

9
10 MR. TITUS: I got a question. On all these proposals,
11 you guys say reject them, I don't know where you get your
12 information from, just out of the blue. If you go back to the
13 people who actually use these resources and got their input,
14 that actually put that stuff on their plate or are you just
15 making these numbers up as you dream?

16
17 MR. GREENWOOD: My response to that is that the
18 information in the analysis is just based on the studies, the
19 literature that's available, any references that are available
20 and it's the status of our knowledge right now and that's why
21 we're here at the Regional Council meeting and why Frank is
22 here and the State is here, to add more input to this so you
23 have more to make your decision is with, so does the Board.

24
25 MR. TITUS: Why don't you go back and ask the people
26 that actually (indiscernible - away from mike) and get their
27 input.

28
29 MR. MATHEWS: Mr. Chairman?

30
31 CHAIRMAN FLEENER: Yes, Vince.

32
33 MR. MATHEWS: That's why we had that subcommittee
34 informational workshop. We had three people from that area
35 that will be effected by this, Roy Ewan of Glennallen and Fred
36 John of Mentasta Lake and Chuck Miller of Dot Lake.

37
38 CHAIRMAN FLEENER: Well, Chuck what do you think about
39 this proposal?

40
41 MR. MILLER: Proposal 26.

42
43 CHAIRMAN FLEENER: Yes. And the State's question of
44 the inclusion of Chisana, which is just one of the things that
45 they might question?

46
47 MR. MILLER: Okay. We agreed -- well, when we had that
48 joint meeting we agreed to support the primary conclusions with
49 modification that Healy Lake be included in 20(D) and that's in

50 the north -- north of the Sanford River in Unit 11 and 12.a I

00246

1 don't know how that worked out with what Frank had.

2

3 MR. ENTSMINGER: Well, we're just saying that these
4 villages should be allowed to hunt all of Unit 11, not draw a
5 line halfway across Unit 11 and just let them hunt on one side
6 and not the other.

7

8 CHAIRMAN FLEENER: But it would include Healy Lake
9 because you said 20(D), right?

10

11 MR. ENTSMINGER: Yes, right. There would be another
12 hurdle for Healy Lake because they have to be accepted as a
13 resident zone community. But we have the frame work of that
14 setup already.

15

16 CHAIRMAN FLEENER: Is there anymore discussion or
17 public comment on this?

18

19 MR. GOOD: I have a question for Frank. Does Proposal
20 26B through D cover pretty much what you have there? Reading
21 through them I'm not really sure whether it does?

22

23 MR. ENTSMINGER: I'm not sure either, that's why we
24 made an amendment proposal. You know, the SRC made the amended
25 proposal for all of the residents in 11, 12 and 13 and 20(D)
26 to, you know, be able to use moose in those 11, 12 and 13. But
27 like I say, as far as other Federal lands, we had to also
28 address in our Upper Tanana proposal to include 20(D), 20(E)
29 and 25(B) and 25(C) for residents of 11, 12 and Dot -- you
30 know, Dot Lake.

31

32 CHAIRMAN FLEENER: Any more discussion?

33

34 MR. STARR: I don't know what to do?

35

36 CHAIRMAN FLEENER: The motion is to adopt Proposal 26A
37 through whatever D?

38

39 MR. GOOD: Mr. Chairman, with permission of the second,
40 I would withdraw my motion and instead adopt the SRC
41 recommendation.

42

43 CHAIRMAN FLEENER: We have to see if the second -- who
44 seconded that, is that you Philip?

45

46 MR. TITUS: Is it me?

47

48 CHAIRMAN FLEENER: I don't know.

49

MR. GINNIS: I did, I guess.

00247

1 CHAIRMAN FLEENER: Steve did?

2
3 MR. GINNIS: I'll volunteer.

4
5 CHAIRMAN FLEENER: You volunteer to withdraw?

6
7 MR. GINNIS: Yes.

8
9 CHAIRMAN FLEENER: Okay, the motion's withdrawn. Nat.

10
11 MR. GOOD: I move that we adopt the SRC recommendation

12 for Proposal #26.

13
14 CHAIRMAN FLEENER: Okay, there's a motion on the floor.
15 Is there a second?

16
17 MR. GINNIS: Second the motion.

18 CHAIRMAN FLEENER: Seconded by Steve Ginnis.
19 Discussion?

20
21 CHAIRMAN FLEENER: The motion is to support the SRC
22 recommendation which would include Units 11, 12 and 13, 20(D),
23 (E) and 25(B).

24
25 MR. ENTSMINGER: I have to make a correction on that.
26 Actually, the SRC only dealt with the units within the SRC's
27 jurisdiction.

28
29 CHAIRMAN FLEENER: Right. But you also -- you did make
30 the recommendation that -- or you made another proposal that
31 would not deal with the national park area, right?

32
33 MR. ENTSMINGER: We did but that was an advisory -- a
34 local advisory committee recommendation.

35 CHAIRMAN FLEENER: Right.

36
37 MR. ENTSMINGER: So if you wanted to support the SRC's
38 recommendation that would be good. But we would also need a
39 support of the local advisory committee's proposal.

40
41 CHAIRMAN FLEENER: Okay. So the motion as it stands
42 then, would just support Unit 11, 12 and 13?

43
44 MR. ENTSMINGER: That's correct, yeah.

45
46 CHAIRMAN FLEENER: Okay.

47
48 MR. ENTSMINGER: So we would need an additional
49 recommendation if this one passes.

00248

1 CHAIRMAN FLEENER: Okay. Is there anymore discussion?
2 This proposal will support Units.....

3
4 MR. GINNIS: Question on the motion.

5
6 CHAIRMAN FLEENER: Question's been called. All in
7 favor of the motion signify by saying aye.

8
9 IN UNISON: Aye.

10
11 CHAIRMAN FLEENER: All opposed same sign.

12
13 (No opposing votes)

14
15 MR. ENTSMINGER: Our local advisory committee
16 recommendation to the board is to -- for the residents of Unit
17 12, 20(E) and 20(D) to be able to use moose in Units 11, 12, 13
18 20(D), 20(E), 25(B) and 25(C). And that basically, you know,
19 encompasses all the areas around our communities where we hunt
20 moose.

21
22 CHAIRMAN FLEENER: Does the Council wish to take
23 action? Yes.

24
25 MR. KNAUER: Mr. Chairman. That constitutes a totally
26 new proposal. And the public has not had an opportunity to
27 review it nor has there been an opportunity to evaluate that
28 from Staff. It would be appropriate for that to be submitted
29 during the call for proposals next year.

30
31 CHAIRMAN FLEENER: Okay, thank you.

32
33 MR. ENTSMINGER: You know, that's quite all right.
34 Because you know, the advisory committee's going to be
35 submitting their proposals directly to the Federal Board.

36
37 CHAIRMAN FLEENER: Okay. If there's no action by the
38 Council on that then, Vince.

39
40 MR. GOOD: I have one more question. Did we include
41 the residents of Unit 20(D) east of the Johnson River on our
42 motion as they were in Proposal 26C?

43
44 CHAIRMAN FLEENER: I don't.....

45
46 MR. MILLER: No.

47
48 CHAIRMAN FLEENER:think so because that's not in
49 the SRC's jurisdiction, right?

00249

1 MR. ENTSMINGER: Right. It just includes 20 --
2 residents of Dot Lake.

3
4 CHAIRMAN FLEENER: It's not in their jurisdiction, so
5 we adopted their pro -- their recommendation on this proposal.

6
7 MR. GINNIS: So make another motion. Can't we here and
8 now make another motion.

9
10 MR. ENTSMINGER: Well, like Staff said that actually
11 would be a new proposal, I guess. So I mean if.....

12
13 CHAIRMAN FLEENER: Go ahead Bruce.

14
15 MR. GINNIS: Not on that issue.

16
17 MR. GOOD: Not on that.

18
19 CHAIRMAN FLEENER: Well, Frank, what was the proposal?

20
21 MR. ENTSMINGER: What was the SRC's recommendation on
22 that proposal?

23
24 CHAIRMAN FLEENER: Twenty-six.

25
26 MR. ENTSMINGER: You know, we lumped all the moose
27 proposals together to just include 11, 12 and 13 and Dot Lake.

28
29 MR. GOOD: Well, was that one we passed with Dot Lake?

30
31 MR. ENTSMINGER: Yes.

32
33 CHAIRMAN FLEENER: Yes. Okay, everything's okay, let's
34 go to Proposal 27. Proposal 27.

35 MR. MATHEWS: Proposal 27 is found on Page 171 of your
36 book. It deals with moose and caribou in Units 11, 12 and 13.
37 And it is to establish a designated hunter option for residents
38 of Unit 12. Let me see what comments we've had on 27, 27, the
39 Alaska Department of Fish and Game.

40
41 CHAIRMAN FLEENER: Can you give comments before we
42 bring this on the table or should we put it on the table first?

43
44 MR. MATHEWS: Whichever way.

45
46 CHAIRMAN FLEENER: Is there a motion to bring this
47 proposal on the table?

48
49 MR. GINNIS: Proposed.

00250

1 CHAIRMAN FLEENER: Steve Ginnis made a motion. Is
2 there a second?

3
4 MR. GOOD: Second.

5
6 CHAIRMAN FLEENER: Second by Nat Good. Discussion? Go
7 ahead, Vince.

8
9 MR. MATHEWS: Okay. I'll leave the State to cover
10 that. There was also Wrangell-St. Elias, which I'm sure
11 they'll talk about. So with that, the only thing I need to
12 convey to you is that the informational workshop addressed
13 Proposal 27 and they agreed to support the preliminary
14 conclusions as written in the analysis.

15
16 CHAIRMAN FLEENER: Bruce.

17
18 MR. GREENWOOD: The purpose of this proposal would
19 provide a legal means to take caribou or moose for the elderly
20 or handicapped subsistence users, parents or others who are
21 unable to acquire moose for themselves. It suggests that with
22 the present bag limits, some hunters cannot fulfill both their
23 requirements for their own households and those of people with
24 whom they share. This will permit hunters to harvest caribou
25 and moose expressly for others. The Staff recommends
26 supporting the proposal.

27
28 CHAIRMAN FLEENER: Thank you. Frank, what's the SRC
29 say?

30
31 MR. ENTSMINGER: Basically the SRC recommended to adopt
32 the proposal.

33
34 CHAIRMAN FLEENER: Okay. Terry?

35 MR. HAYNES: Mr. Chairman, we don't have a position at
36 this time, but we do have some comments. There is little
37 Federal public land in Unit 13 and the numbers of bull moose on
38 those lands are very low. The moose population there cannot
39 withstand additional harvest pressure. In Unit 11, the
40 Mentasta caribou herd is declining and only a limited bull
41 harvest currently is allowed. As long as harvests are tightly
42 controlled, the designated hunter regulation should not be a
43 problem. Unit 11 moose harvests are projected to increase
44 under a designated hunter regulation in an area where moose
45 numbers generally are low. Bull/cow ratios are high in areas
46 that have poor access. Some additional harvest of bulls can be
47 allowed, but an appreciable increase is not desired by the
48 Department. While the use of designated hunters is permissible
49 under ANILCA as long as it reflects the customary and

50 traditional use contemplated in Section 803 of ANILCA.

00251

1 Designated hunter regulations like that proposed here should
2 justify the number of animals to be allocated to the harvest or
3 provide a guideline harvest level in order to maintain a level
4 of harvest that is consistent with customary and traditional
5 uses in the effected communities.

6
7 CHAIRMAN FLEENER: With adopting this proposal, if we
8 do choose to adopt it, that wouldn't change the amount of
9 harvest -- it shouldn't change the amount of harvest, just
10 who's actually doing the harvest, right?

11
12 MR. HAYNES: Mr. Chairman, our position is that it
13 might increase the level of harvest because by using designated
14 hunters you might be encouraging more harvest because those
15 people unable to harvest for themselves would then be able to
16 assign their opportunities to someone else.

17
18 CHAIRMAN FLEENER: I know that we have a responsibility
19 to subsistence users, but we do also have a responsibility to
20 make sure that we don't deplete the resources. So that's a
21 legitimate concern that we need to consider in this proposal.

22
23 MR. GINNIS: Mr. Chairman?

24
25 CHAIRMAN FLEENER: Yes.

26
27 MR. GINNIS: Regarding additional harvest, I think
28 there's just an assumption being made here. You know, the way
29 I view this proposal that is before us, it's simply designating
30 someone else to do the hunting for someone that might not be
31 able to do it. You know, there could be all kinds of
32 assumptions made like that's being expressed right now. But I
33 think the issue really has to do with whether we support the
34 idea of somebody else going out and harvesting a moose for
35 somebody else, you know, I think that's what the issue is here.
36 And I would ask the question on the motion.

37
38 CHAIRMAN FLEENER: Question's been called on the
39 motion. All in favor of the motion signify by saying aye.

40
41 IN UNISON: Aye.

42
43 CHAIRMAN FLEENER: All opposed same sign.

44
45 (No opposing votes)

46
47 CHAIRMAN FLEENER: Motion carries.

48
49 MR. MATHEWS: The next proposal, Mr. Chairman, is

50 Proposal 30, which deals with Unit 11, it deals with grouse and

00252

1 ptarmigan and I don't see any public comments on that. But I
2 believe the SRC and the State will comment. The informational
3 workshop did look at Proposal 30. They agreed to the
4 preliminary conclusion with the modification to clear up this
5 whole ptarmigan and grouse determination that it should be
6 given a positive customary and traditional use determination
7 for those species in Unit 11 and 12 to rural residents of 11,
8 12, 13 and the Native Village of Dot Lake.

9
10 CHAIRMAN FLEENER: Bruce.

11
12 MR. GREENWOOD: This proposal right here, I believe,
13 the primary problem seems to be.....

14
15 CHAIRMAN FLEENER: Hold on a second, Bruce, I think we
16 have to put this on the table before we discuss it.

17
18 MR. HAYNES: Mr. Chairman.

19
20 MR. GINNIS: So move the motion.

21
22 CHAIRMAN FLEENER: Okay. There's a motion. Is
23 there.....

24
25 MR. GOOD: Second.

26
27 CHAIRMAN FLEENER: There's a second by Nat Good. Now
28 we can discuss it. Hold on, somebody wants to make a comment
29 back here.

30
31 UNIDENTIFIED VOICE: No, I don't want to make a
32 comment. I just want to ask what did you have for Proposal 27.

33
34 COURT REPORTER: Could you go to the microphone,
35 please.

36
37 MR. GREENWOOD: Proposal 27 was adopted.

38
39 UNIDENTIFIED VOICE: It was adopted?

40
41 MR. GREENWOOD: Yes.

42
43 CHAIRMAN FLEENER: Yes.

44
45 UNIDENTIFIED VOICE: Oh, okay.

46
47 CHAIRMAN FLEENER: Okay. Let's continue, Bruce.

48
49 MR. GREENWOOD: Okay. This proposal would add the

50 residents of Unit 12 to an expansive determination for Unit 11.

00253

1 Right now, in Unit 11 -- people who have c&t are Unit 11, 13,
2 the residents of Chickaloon, Units 15, 16, 20(D), 22 and 23.
3 The existing regulation excludes the Unit 12 residents from c&t
4 from grouse and ptarmigan in Unit 11, but includes residents of
5 local and other neighboring and still of very distant units.

6
7 We recommend that this be supported with modification
8 and that it be amended to give positive c&t for ptarmigan and
9 grouse in Unit 11, to residents of Unit 12 and the community of
10 Dot Lake, it would be the Native Village of Dot Lake. And this
11 would.....

12
13 CHAIRMAN FLEENER: Is that all? Okay, Frank, what's
14 the SRC's opinion?

15
16 MR. ENTSMINGER: Basically the same thing.

17
18 CHAIRMAN FLEENER: Okay, Terry.

19
20 MR. HAYNES: No comments at this time.

21
22 CHAIRMAN FLEENER: Okay, thank you. What's the.....

23
24 MR. GINNIS: Mr. Chairman?

25
26 CHAIRMAN FLEENER: Yes.

27
28 MR. GINNIS: You know, these c&t findings are going a
29 little bit too far when you have to get a positive c&t for
30 ptarmigan hunting. It doesn't seem like -- I mean I'm not
31 trying to be funny about it, but it just doesn't seem -- Jesus,
32 you know, what's going to happen here, next probably we'd have
33 to find a positive c&t finding to go berry picking is what it's
34 coming down to it seems like to me.

35 CHAIRMAN FLEENER: Go ahead, Frank.

36
37 MR. ENTSMINGER: Mr. Chair, Steve, yeah, it's pretty
38 bad when it gets to that point. But right now, the Park
39 Service can cite us if we shoot a grouse or ptarmigan in Unit
40 11 from -- you know, the Upper Tanana people can't hunt birds
41 down there.

42
43 CHAIRMAN FLEENER: Terry?

44
45 MR. HAYNES: Mr. Chairman, I don't want to get into a
46 long discussion on this. But I think it's important to
47 understand that the Federal Subsistence Board adopted c&t
48 determinations that had been made by the State when the Federal
49 Board came into being. The State had not completed making

50 detailed c&t findings for all species in all units. In the

00254

1 case of grouse and ptarmigan, there'd been a very major
2 grouping of units taken in, so there was an existing c&t
3 finding for some units. But what this proposal does is fine
4 tune it a bit more. Steve's point is correct, but just to
5 clarify that this has been a long process but the Federal
6 Board is in the stages of fine tuning some previous decisions.

7
8 CHAIRMAN FLEENER: Okay. Is there anymore Council or
9 public discussion on this?

10
11 MR. GOOD: Well, it was nice to see additional things
12 added in rather than a subtraction, otherwise, question.

13
14 CHAIRMAN FLEENER: Question, yes, well the question's
15 been called. All in favor of the motion signify by saying aye.

16
17 IN UNISON: Aye.

18
19 CHAIRMAN FLEENER: All opposed same sign.

20
21 (No opposing votes)

22
23 MR. MATHEWS: Mr. Chairman, can I have clarification on
24 that. So then Dot Lake would not be included in this, correct?

25
26 CHAIRMAN FLEENER: No, we adopted your recommendation.

27
28 MR. MATHEWS: No, the motion was move to adopt the
29 proposal as written.

30
31 MR. ENTSMINGER: Dot Lake is on there.

32
33 MR. GREENWOOD: No it isn't.

34
35 MR. GINNIS: Yeah, we didn't deal with the modification
36 that they were addressing. My motion was to approve Proposal
37 30 as.....

38
39 CHAIRMAN FLEENER: That's good.

40
41 MR. GINNIS: All right. But didn't you.....

42
43 MR. GOOD: Mr. Chairman, I move to reconsider.

44
45 MR. MATHEWS: I don't think there's a need for it.

46
47 CHAIRMAN FLEENER: Yeah. He was incorrect in his
48 second statement.

49

MR. GOOD: The modification.

00255

1 CHAIRMAN FLEENER: It's okay. Dot Lake is included.

2

3 MR. GINNIS: Okay, great. Let's move on.

4

5 CHAIRMAN FLEENER: Do you remove your.....

6

7 MR. GOOD: I remove, no second.

8

9 CHAIRMAN FLEENER: Okay. Motion dies. Let's continue.

10 Well, hold on, let's take a five minute break.

11

12 (Off record)

13 (On record)

14

15 CHAIRMAN FLEENER: I'd like to call the meeting back to
16 order. Vince.

17

18 MR. MATHEWS: Mr. Chairman, we're talking about
19 Proposal 31, which is on Page 188 of your brown book. This is
20 dealing with wolves and Unit 13, 16, 19 and 20. I want to
21 mention we're switching gears here. Hollis Twitchell will be
22 presenting this proposal. Concerning public comments on
23 Proposal 31. I don't have any listed here. The informational
24 workshop did look at it even though it did not reapply --
25 didn't apply to Southcentral. And I'll just leave that at,
26 they did talk about but there was no conclusion by that group.
27 And I'm not sure -- Wrangell wouldn't have had any issue on it
28 and Upper Tanana. So at present, I have no comments. If I do
29 find some I'll try to get your attention.

30

31 CHAIRMAN FLEENER: Okay. We need a motion to put this
32 on the table.

33

34 MR. GOOD: Mr. Chairman, I propose we adopt Proposal
35 31.

36

37 CHAIRMAN FLEENER: There's a motion to adopt Proposal
38 31. Is there a second?

39

40 MR. MILLER: Second.

41

42 CHAIRMAN FLEENER: Second by Charles Miller.
43 Discussion? Are you done, Vince?

44

45 MR. MATHEWS: Yes.

46

47 CHAIRMAN FLEENER: Okay, Hollis.

48

49 MR. TWITCHELL: Proposal 31 was passed by the Denali

50 Subsistence Resource Commission at their April 29th, 1966 (sic)

00256

1 meeting. The motion was to.....

2

3 CHAIRMAN FLEENER: 1966 meeting?

4

5 MR. TWITCHELL: 1996 meeting, I'm sorry. Thanks. And
6 the motion was to change the wolf hunting seasons in one unit,
7 Unit 20(C) and that was to change the season to coincide with
8 the trapping season. And the trapping season starts November
9 1st and runs through March 31st. The current hunting season
10 runs from August 10th to April 30th. The motion was to exclude
11 national preserve lands since there was sport hunting would be
12 authorized on national preserve lands as well as the national
13 park lands. So they did not want this proposal to apply on
14 those lands.

15

16 They also had reservations in terms of predator prey
17 populations in other portions of the park and preserve, so they
18 limited the scope of this proposal just to 20(C) and so it's
19 not to apply on the southern or western plain of the park
20 areas.

21

22 The primary reason for this change was that the
23 Commission felt that the wolf pelts were not prime in the
24 summer months, August, September and October or in April and
25 that they would rather save the harvest until the winter months
26 when the pelts were prime.

27

28 The other reason that they moved this proposal forward
29 is because of wolf controversy that's existing in the Denali
30 area, the result of illegal wolf harvests on the eastern plain
31 of the park where they were trapped after the official trapping
32 season by a non-subsistence user. The ramifications of that
33 illegal harvest started a significant amount of public outcry
34 and a number of letter writing campaigns and proposals by other
35 organizations questioning wolf harvest and in particular the
36 fall and spring harvest as whether they were appropriate
37 subsistence periods of take.

38

39 In looking at the harvest information for the Denali
40 area from '84 to '94, a 10 year period, there's been a record
41 of 42 wolves that have been harvested over that period, about
42 3.8 wolves a year. Those are from the use or used areas that
43 encompass both the park and just outside of the park
44 boundaries. In interviewing the subsistence users who had made
45 harvest in the area, there is a maximum of 15 wolves that
46 actually came from off the park lands by subsistence users
47 themselves. And that's only 1.4 wolves per year were actually
48 taken from park or preserve lands.

49

The studies that have been done on wolf populations in

00257

1 Denali indicate that we have a stable and healthy wolf
2 population and this harvest level will have no effect or
3 influence on them at all. A similar proposal was submitted to
4 the Federal Board in 1992 by the Middle Nenana Fish and Game
5 Advisory Committee which requested also a change for the wolf
6 season from the August 10th to April 30th to the trapping
7 season of March 1st to -- correction, November 1st to March
8 31st. The reason for that change was also because the fur was
9 not primed during those months. The Federal Subsistence Board
10 denied that particular proposal on the basis that it would
11 impose a more restrictive season on subsistence users that is
12 presently exists for sport hunters in State regulations. And
13 in the preserve lands, the subsistence hunters could still
14 harvest in August, September and October and April under State
15 regulations. And also that there was no biological reason to
16 restrict subsistence user's take.

17
18 In looking at the harvest information, we also see that
19 there was one individual who harvested during that fall period
20 of time and there was one individual that harvested in the
21 April period of time. So we had a total of four wolves that
22 were taken in the fall -- correction, in the fall and the
23 spring periods in question.

24
25 CHAIRMAN FLEENER: So are you saying you support this
26 proposal?

27
28 MR. TWITCHELL: The.....

29
30 CHAIRMAN FLEENER: Yes?

31
32 MR. TWITCHELL:preliminary conclusion is that to
33 support the proposal as modified by the proponent.

34 CHAIRMAN FLEENER: I just wanted to make a comment
35 here. In the first paragraph it says reason for changing the
36 regulation. This doesn't really have any effect on anything,
37 but I just wanted to say it. It says, wolf hunting for
38 subsistence in this area has no legitimate purpose before the
39 pelts are prime in November. It says down here next to the
40 bottom line, without providing any meaningful benefit to
41 subsistence users. And I just wanted to state that I kind of
42 disagree with that because if people shoot wolves out of
43 season, they're basi -- they may be doing it for a reas -- I
44 mean out of this prime season, they may be doing it for other
45 reasons, like if they're trying to do some management in their
46 own area and trying to improve on the population of moose and
47 caribou if they feel that there is some need, if they're trying
48 to lift up the populations of other animals.

49

I mean I realize you didn't write this and Miki Collins

00258

1 wrote it, but I just wanted to state that if a subsistence user
2 is going to kill this out of season it's probably for a good
3 reason. They're just not going to go along shooting wolves for
4 no reason. So I just wanted to make that comment plain.

5
6 So you basically support this. Where did our SRC man
7 go? He's hiding in the corner. How about the State, what do
8 you have to say?

9
10 MR. TWITCHELL: I guess what I would say and what the
11 subsistence resource commission considered when they submitted
12 this is that, they recognize that there is take during that
13 fall and that springtime period. The take is very minimal.
14 And for the commission and the people that were involved in
15 this area, they would rather see the harvest occur in the fall
16 when there was some monetary economic benefit to be gained from
17 it and that was the reasoning for it. So they also wanted to
18 express it was not a biological concern in terms of the
19 population that it was driven by a value concern and also by
20 other public.....

21
22 CHAIRMAN FLEENER: Yeah, I understand those concerns.
23 I don't think there's going to be much of a biological concern
24 with 3.8 wolves a year.

25
26 MR. TWITCHELL: Insignificant.

27
28 CHAIRMAN FLEENER: Terry.

29
30 MR. HAYNES: Mr. Chairman, thank you. The State does
31 not support this proposal, the original proposal. And I don't
32 believe we will support the modified proposal. There's
33 currently no biological basis for reducing the hunting season
34 for wolves in this area. Proposed regulations that prohibit
35 the harvest of wolves during moose hunting season. Although
36 only a few wolves are taken during the period proposed for
37 closure, wolf pelts are not valueless at this time, contrary to
38 what the proposal states. They may not be prime for sale, but
39 they can be used for making ruffs and other handicrafts.

40
41 Differences in Federal and State regulations will cause
42 confusion for hunters as the park and preserve boundaries are
43 not easily identified in the field. Certainly that issue is
44 reduced given that this proposal has been modified.

45
46 We also note that hunting in the additions to Denali
47 National Park already is limited to members of the park
48 resident zone communities and a few other local residents who
49 have obtained subsistence permits from the National Park

50 Service. This proposal does not present any compelling

00259

1 arguments for reducing the current season dates.

2

3 CHAIRMAN FLEENER: Is there a biological concern for
4 reducing them? Are there small amounts of wolves and are they
5 decreasing?

6

7 MR. HAYNES: Mr. Chairman, we don't believe there is
8 any biological reason to support reducing the season and as Mr.
9 Twitchell noted, that the harvest of wolves is very small right
10 now in the area that's effective.

11

12 CHAIRMAN FLEENER: Vince.

13

14 MR. MATHEWS: Mr. Chairman, I just need clarification
15 on your statement. That your -- you indicate that
16 traditionally subsistence users would harvest out of prime for
17 different reasons, including maybe for handicraft and for maybe
18 possible customary trade; am I correct?

19

20 CHAIRMAN FLEENER: Well, I didn't the customary trade
21 thing, he did. But I agree with those reasons also with the
22 reasons I stated.

23

24 MR. MATHEWS: Okay. And other members would agree to
25 that -- okay, thank you.

26

27 MR. GINNIS: Why are you asking that question?

28

29 CHAIRMAN FLEENER: Why are you asking that question,
30 Vince, we want to know?

31

32 MR. GINNIS: I don't like to be questioned with no
33 answer to it.

34 MR. MATHEWS: Mr. Chairman, the reason I'm asking that
35 question -- I don't have a lawyer in my pocket, but when you
36 said for management purposes, I'm not sure that falls
37 underneath the definition of subsistence uses. And if this
38 becomes a high profile issue, I wanted to make sure that the
39 record reflected that there are other traditional uses beyond
40 just your management concerns.

41

42 MR. GOOD: Mr. Chairman?

43

44 CHAIRMAN FLEENER: Yes.

45

46 MR. GOOD: I'd also like to note that you ought to be
47 careful with saying out of prime because there can be some
48 mighty prime wolves. And of course I recognize that down
49 around Delta Junction, you know, it's a lot colder than in

50 sunny Denali Park, but boy, I've seen some real nice prime

00260

1 wolves in the month of September.

2

3 CHAIRMAN FLEENER: Thank you. Okay. Is there anymore
4 discussion or public comment?

5

6 MR. GINNIS: Yes.

7

8 CHAIRMAN FLEENER: Steve.

9

10 MR. GINNIS: I need to ask a question. Did you say
11 that the Denali Subsistence Resource Commission supported this
12 proposed regulation -- or I mean this proposal?

13

14 MR. TWITCHELL: That's correct. They supported it only
15 for on park lands in 20(C). They did not want it to apply on
16 any other -- any other lands within the park or preserve.

17

18 MR. GINNIS: And so the way this particular proposal is
19 being presented, it includes other units?

20

21 MR. TWITCHELL: It does not. It only includes park
22 lands within 20(C).

23

24 CHAIRMAN FLEENER: Right. And it limits the take of
25 the parks -- or it doesn't limit the take, but it limits the
26 time you can take these wolves.

27

28 MR. GOOD: Mr. Chairman, just as a final note. I
29 personally would stand opposed to the reduction of that hunting
30 season taking it away from the possibility of incidental take
31 of hunters.

32

33 CHAIRMAN FLEENER: I agree with that.

34 MR. GINNIS: And one more thing, Mr. Chairman?

35

36 CHAIRMAN FLEENER: Yes.

37

38 MR. GINNIS: The Nenana Advisory Fish and Game
39 Committee, what was their position? They were the ones that
40 initially -- did you say initially introduce this?

41

42 MR. TWITCHELL: They initiated a proposal back in.....

43

44 MR. GINNIS: 1966?

45

46 MR. TWITCHELL:1992.

47

48 MR. GINNIS: Oh, okay.

49

50 MR. TWITCHELL: That was their proposal.

00261

1 MR. GINNIS: All right. And they still support it as
2 far as you know?

3
4 MR. TWITCHELL: That proposal was not supported by the
5 Federal Subsistence Board, so that proposal died.

6
7 MR. MATHEWS: And to correct the record, that was
8 Middle Nenana, not Minto Nenana Advisory Committee, it was
9 Middle Nenana Advisory Committee.

10
11 MR. GINNIS: Which communities does that include?

12
13 MR. MATHEWS: Middle Nenana covers, oh, boy, Healy,
14 Clear, Anderson.....

15
16 MR. GINNIS: Okay.

17
18 MR. TWITCHELL: The Nenana area.

19
20 MR. GOOD: Well, it doesn't cover Nenana.

21
22 MR. TWITCHELL: It doesn't cover Nenana.

23
24 MR. MATHEWS: No.

25
26 CHAIRMAN FLEENER: Philip, did you have a comment?

27
28 MR. TITUS: You know, I live in Minto.....

29
30 COURT REPORTER: Microphone.

31
32 MR. TITUS: I was just concerned about -- Minto and
33 Nenana is always worried about wolf control, it's a concern and
34 that's my point of view.

35
36 CHAIRMAN FLEENER: Okay. Is there anymore discussion
37 on this motion? The motion is to support this proposal. The
38 State recommendation is not to support it. The Staff
39 recommendation is to support it.

40
41 MR. MATHEWS: Mr. Chairman, the motion before the board
42 is to adopt, your option is to vote in support of adopting it
43 or vote against the motion to adopt.

44
45 CHAIRMAN FLEENER: Right.

46
47 MR. GOOD: Question.

48
49 CHAIRMAN FLEENER: The question's been called. All in

50 favor of the motion signify by saying aye.

00262

1 (No affirmative votes)

2

3 CHAIRMAN FLEENER: All opposed same sign.

4

5 IN UNISON: Aye.

6

7 COURT REPORTER: Who called the question?

8

9 CHAIRMAN FLEENER: Nat. Okay, the proposal dies.

10 Thank you, Hollis.

11

12 MR. MATHEWS: Okay, the next proposal is Proposal 55 on
13 Page 194 dealing with black bear in Unit 24.

14

15 CHAIRMAN FLEENER: I think Randy wanted to say
16 something.

17

18 MR. MAYO: I wanted to put all proposals from Stevens
19 Village in one lump instead of going by them -- you know,
20 through them one by one, I want to explain it once, the whole
21 thing, you know, because it's all one subject, you know.

22

23 CHAIRMAN FLEENER: Okay, Vince?

24

25 MR. MAYO: I'll have to use that map over there.

26

27 MR. MATHEWS: Mr. Chairman, I don't think there's a
28 problem with Randy explaining, in detail, what the intent of
29 all the proposals in combination is. I think your motion would
30 have to be addressed by proposal. Otherwise you're going to
31 lose your Staff, I think. We'll see. Maybe it would be best
32 for Randy to lay it out and then look at the proposals.

33

34 CHAIRMAN FLEENER: Yeah. At the beginning Bruce
35 started giving discussion on seven proposals, so I think we can
36 allow Randy to give discussion on his proposals and then we can
37 address them one at a time if need be.

38

39 MR. MATHEWS: That's fine.

40

41 CHAIRMAN FLEENER: All right. Thank you, Bruce. He's
42 got a microphone for you.

43

44 (Off record comments concerning maps and microphone)

45

46 MR. MAYO: Yeah, I wanted to explain all these
47 proposals that came from Stevens Village. They're all
48 basically related to one issue here and it's -- you know, it's
49 a jurisdictional problem we're running into up there along that

50 Haul Road. You know, first of all, you know, I'd like to say

00263

1 this is my last meeting. I'm just as -- my mind is just numb
2 after this experience and I know people in the audience can't
3 make heads or tails out of this because it's all Chinese to us.

4
5 So first of all, these agency people, they might not
6 understand what I'm talking about -- but I didn't identify
7 myself properly to the people when I first came here and I mean
8 these agency people, too, you know. So you know, (In Yup'ik)
9 and I don't expect you to understand that like we don't
10 understand your map and the rules and regulations that come out
11 of it.

12
13 You know, a little background information, this is
14 really a recent development, you know, this color-coded map.
15 Our grandfathers, our ancestors, you know, going way, way back,
16 they didn't make this map and that's not where I'm coming from,
17 not from this recent development, the organization of our
18 traditional territories. That black square there, that's our
19 traditional lands there. You know, that's why it's confusing
20 the way the agency wrote it down, that's why there's different
21 -- there are different numbers because, you know, they've just
22 taken our land and cut it all up and put numbers on them. You
23 know, in the Village we have our traditional land use plan and
24 it's a sacred document like your Constitution, U.S. Government
25 Constitution, this is what it means to us. You know, it goes
26 way, way back. And like I say again, you don't understand my
27 language. You know, we stand on this term, you know, language
28 (In Yup'ik) it means way, way back when things were -- creation
29 time. So I don't expect you to understand it, but this is what
30 we're standing on. It's our bible.

31
32 Back in 1930s, 60 some years ago, BIA had field agents
33 out in the villages documenting traditional use areas that we
34 governed ourselves in. There would have been reservations all
35 over and we would have been in control of those lands, we would
36 have had tribal hunting and fishing rights and we wouldn't be
37 sitting here as tribal government leaders, such as Steve and I,
38 subjecting ourselves to this, you know, what do you call it,
39 circus or whatever. It's demeaning to me. You know, the
40 mining industry and associations got involved and they blocked
41 that reservation move which would have gave us a lot of
42 protection so we never had title to our land. Oil was
43 discovered in the '60s, they knew it was there all along, but
44 now they have the technology and money to get it out of there.
45 We were right on the pipeline road. Now, if we had a
46 reservation, you know, some 50 some years before this proposed
47 pipeline was going to be built, you know, we wouldn't be
48 nickeling and dimeing it, looking for grants here and there,
49 you know, for basic services. We'd be taxing that pipeline;

50 eight million dollars a day goes across our land and we're 20

00264

1 miles away and we can't even -- you know, we don't have running
2 water, you know. Stuff you Americans take for granted, that's
3 your American dream, but it's our nightmare.

4
5 You know, all of these terms, like I said, I'm working
6 at the wrong level here. All of this legislation, Allotment
7 Act, ANCSA and ANILCA, those have watered our rights down so
8 much, but us in the category as rural users, like we're
9 homesteaders out there. And you know, the word, subsistence,
10 it means cause we have no other way or choice. But where is
11 the spiritual, the cultural, the traditional economic aspects
12 of our so-called lifestyle? So when we accept those terms,
13 we're accepting something for less. And what we're talking
14 about here is the same issues that's going on all over the
15 world, it's a human rights issue. You know, the way we live,
16 that's economy, it's an industry in itself. How could one
17 industry be over the other one, it can't. Under International
18 law, you can't do that. The U.S.'s signatory to agreements
19 such as these. And yet here we are way, way down here going
20 round and round and round, you know. I got on this board three
21 years ago and we're still going round and round chasing our
22 tails here and getting dizzy, you know, going home with stacks
23 of papers.

24
25 So you guys can do what you want with this proposal.
26 But as tribal people in here, don't be misled by that map or
27 you're subjecting yourself to their laws and regulations. The
28 opposition can use that against us and say, well, you're
29 accepting, you know, all these lines and stuff, so you're
30 accepting the rural user preference definition. That has no
31 standing, you know.

32 The reason, you know, we come up with these proposals
33 and these seasons and bag limits is there's a lot of people
34 going up that Haul Road right through our land. You know, last
35 summer two -- two whole moose came floating down the river, one
36 of them without no head. You know, people are going and
37 fishing out these little rivers, you know, where people used to
38 live. Now, there's no more pike, no more white fish. You
39 know, they're going up Dall River shooting mother bears, you
40 know, early in the spring and summer and just leaving the cubs,
41 you know, we get drunken parties of people out there. Whole
42 camps just shooting at anything that moves, you know, including
43 us. The people don't feel safe there, they're in our own
44 backyard.

45
46 So the agency and the State just wants to throw open
47 the whole country with no kind of enforcement, no nothing. Yet
48 at the same time the legislature is trying to make it easier
49 for outside business, mostly national corporations to come in

50 here, you know, easing the restrictions on them so they can get

00265

1 rich and just ruin the land and move on and at the same time
2 just, you know, watering and whittling down our rights to
3 nothing. You know, we have to live here after they're gone.

4
5 So you know, that we lost 80 percent of our land
6 because of land claims, you know. Who, in their right mind
7 would agree to such a thing? The little -- all that land that
8 we lost, what did we get compensated for, it amounts to \$1 or
9 \$2 an acre, prime real estate. You know, I mentioned yesterday
10 back in the Rampart damn talks, they identified the Yukon Flats
11 as a big swamp, breeding ground for muskrats, mosquitoes and
12 flies and there's 1,500 impoverished Indians who we can better
13 their lot by flooding out their home land and moving them away.
14 Now, it's looked at as a prime recreation habitat for the urban
15 people. You know, the mandates of these Federal agencies is to
16 provide for recreation and use and access for everybody and
17 turn our land into a playground. That's like opening the
18 grocery stores and supermarkets in the cities so anybody can go
19 in there and just vandalize and just trash it, you know. This
20 is our store.

21
22 So you know, I have to explain it this way, you know,
23 to see through all of this -- all these papers don't mean
24 nothing to me, you know. They'll probably end up in my stove,
25 because when I go home, I'm going to still pursue these
26 activities that make me a human being, you know. And work
27 through the proper channels. Then we might get someplace. You
28 know, go talk to your boss, your chiefs directly and negotiate
29 with them and send my workers to talk to you guys.

30
31 So you know, we're trying to protect our resource for
32 the future generation here. Not only ours, but for yours as
33 well. If this unsustainable way of management keeps going on,
34 there's nothing going to be left for you guys to enjoy. You
35 know, this foreign concept of management, you know, all of our
36 things that make us human beings, you know, have been -- you
37 know, like I said, this is our stories and stuff put us here
38 since the beginning of time, you know. I don't expect you to
39 know who Gitital Condi (ph) or what that story means, you know,
40 but this is where we come from. You know, all of our stories
41 have been busted down into and discarded as legends and myths,
42 fairy tales, but this is our bible. You know, this is where
43 we're having the problem.

44
45 We've been managing along for a million years here and
46 this big subsistence issue just came about recently because of
47 another value system coming in. Recreationalists and
48 sportsmen, you know. So this is the conflict here. A lot of
49 this has to be resolved in the bigger arena, you know, like the

50 Indian country decision and, you know, this is the channels I'm

00266

1 going to move on to and start working through. And this is
2 where this proposal -- what these proposals mean. So I just
3 want you people to understand that. And I don't expect the
4 agencies to really understand it, but you know, the village
5 people here.

6
7 CHAIRMAN FLEENER: Thank you, Randy. Vince.

8
9 (Applause)

10
11 MR. MATHEWS: We can address this proposal by proposal.

12
13 CHAIRMAN FLEENER: Yeah, we're on 55.

14
15 MR. MATHEWS: Okay. I think I was inaccurate with going
16 with 55, it would be easier if we start with 69, I apologize
17 for that.

18
19 MR. GINNIS: What?

20
21 MR. MATHEWS: Proposal 69.

22
23 CHAIRMAN FLEENER: I think 55 is already on the table
24 though.

25
26 MR. MATHEWS: Fifty-five has already been moved?

27
28 MR. GINNIS: It's on the table.

29
30 CHAIRMAN FLEENER: It's on the table for discussion.

31
32 MR. MATHEWS: It's on the table, okay. Then Proposal
33 55 is dealing with black bear in Unit 24, it's found on Page
34 194 of your brown covered book.

35
36 CHAIRMAN FLEENER: Hold on a second, Vince. I'll give
37 you a time for comment after I get these agency guys, you just
38 throw your hand up right after he's done talking.

39
40 MR. MATHEWS: Okay. Then I won't cover the public
41 comments because the only one we have is from the Alaska
42 Department of Fish and Game.

43
44 CHAIRMAN FLEENER: Okay, Bruce.

45
46 MR. GREENWOOD: Okay. We actually have, in Proposal 55
47 -- I'll just briefly make one -- we have Proposal 55 and I
48 believe 58 and 69 and 70, I'll deal with black and brown bear
49 in Units 24, I believe 20(F) and 25(D). So a lot of this

50 discussion might be kind of a little bit similar. But Proposal

00267

1 55 would provide the harvest of black bear by Stevens Village
2 in a traditional range which includes the southwest portion of
3 24, up to and including the Ray River and Stevens Village is in
4 Unit 25. There's other communities in this area, Anaktuvuk
5 Pass, Wiseman, Bettles, Evansville, Allakaket, Alatna, Hughes
6 and Huslia, plus there's some other camps and settlements in
7 Unit 24, Dittrich, Nolan, Coldfoot, Prospect, Wild Lake,
8 Crevice Creek. These camps have a sum of individuals who may
9 or may not reside in the unit year-round.

10
11 CHAIRMAN FLEENER: Randy has a question?

12
13 MR. MAYO: This isn't a question here. This is
14 misleading information, you know. I talked to Stanley about
15 this -- look at that map up there, you know. The reason why
16 there's different game unit -- you're unit numbers on here,
17 we're not talking about the whole of 24 or whatever, it's a
18 small portion of it, okay.

19
20 MR. GREENWOOD: Yes, I understand that.

21
22 MR. MAYO: So don't mislead the people and get us to
23 fighting each other, you know. Look at that map and explain
24 that it doesn't mean the whole portion of -- our range doesn't
25 extend into Allakaket and Coldfoot areas, it's just that small
26 portion. So you have to clarify it.

27
28 MR. MATHEWS: Mr. Chairman, maybe we can get that
29 resolved real quickly. If I understand Randy's intent, then
30 maybe it would make it a lot easier then, since Stevens Village
31 was the author of this proposal to withdraw this Proposal 55
32 and then we just move on. Because this Proposal 55 is a
33 request that was received back in '92, I think and we could
34 just dismiss it. You could withdraw it and then we could just
35 move on to the next because the intent of Stevens Village was
36 to go to what Randy just laid out, that that's their
37 traditional areas, this proposal no longer reflects that. So
38 that would be up to Randy, it's an option to just withdraw this
39 proposal.

40
41 MR. MAYO: Well, it seems like what I'm trying to
42 explain to the village people here, when we go by that map, you
43 know, that map isn't ours. Look at it, we're not talking about
44 all the way over to Allakaket, Cold Foot and Alden Creek, it's
45 just a small little corner. See we're going by our traditional
46 lands, not these numbers and stuff. We're not talking about
47 way over there, you know, towards the Koyukuk.

48
49 MR. GREENWOOD: I understand that, Randy. I'm very

50 well aware that that's the area that you use. And I think the

00268

1 person that wrote this analysis based it on the proposed
2 regulation.

3

4 CHAIRMAN FLEENER: Well, I wonder Bruce if it's
5 possible to make the resolution state that this corner --
6 Bruce, I just wonder if it's possible to state in the proposal
7 that this is a corner that the tribal council is interested in
8 or is that.....

9

10 MR. GINNIS: Mr. Chairman?

11

12 CHAIRMAN FLEENER: Yes.

13

14 MR. GINNIS: I think if anybody looks at this proposal,
15 it's very clear to me what area is being discussed. I mean it
16 says where the resource has been harvested. And I'm sure that
17 that paragraph there identifies specifically the area that he's
18 referring to. Now, I don't know what the recommendation is
19 about in terms of saying, well, let's just defer -- or let's
20 just go over this -- let's just skip over this proposal and go
21 on to the next one. Now, if it's included in some other
22 proposal, then I guess it's not my proposal, so I can't say,
23 let it move on with it or not, but if it's covered in another
24 proposal to address what Randy is trying to address, then we
25 ought to move on. But I think it's pretty clear to me from
26 reading this little paragraph here, specifically the area he's
27 talking about. And like he said, it doesn't encompass the
28 whole Unit 24.

29

30 CHAIRMAN FLEENER: I wonder if the proposal is written
31 exactly how it's stated here, would that exclude the residents
32 of Allakaket, Anaktuvuk, Bettles, Hughes, Huslia and Wiseman,
33 if it's written exactly as it's stated here?

34

35 MR. GREENWOOD: Yes, it would.

36

37 MR. GINNIS: No.....

38

39 MR. MAYO: Well, see we're not saying -- I don't know,
40 you people don't understand. Look at that map I said. What
41 you're saying is the whole 24. Now, you're not explaining to
42 the residents of those communities that this is just a little
43 portion of 24, okay, so you're confusing everybody. It has to
44 be stated in your analysis.....

45

46 CHAIRMAN FLEENER: You see, Stevens Village doesn't
47 want to claim all of Unit 24, they just want this corner.

48

49 MR. MAYO: See you're sending alarm signals to these

50 other communities, you know.

00269

1 MR. GREENWOOD: I think I'd like to say, Randy, that I
2 fully understand the area that you're describing there. I
3 really know that. And I think maybe it's a process of what was
4 communicated in this proposal. And I'll let Bill Knauer, he's
5 the man that deals with proposals when they come in the office
6 maybe fill you in on this and how come the analysis covers all
7 of Unit 24.

8
9 MR. KNAUER: Mr. Chairman, the original proposal when
10 it came in stated Unit 24, so that's what was analyzed. Mr.
11 Mayo is specifying that that was not what was intended, that it
12 was actually intended for only a small portion there and that's
13 very admirable, but we're trying to -- he's trying to get it
14 down to more accurately reflect their use area. The only
15 concern right now that you express is if it was c&t for only
16 Stevens Village in that area, are there other communities
17 nearby that may also use that area.

18
19 CHAIRMAN FLEENER: Right. I think we realize that.

20
21 MR. KNAUER: Yeah.

22
23 CHAIRMAN FLEENER: What I'm trying to say is, how can
24 we make this fit to where it's just this corner here? Can you
25 do that with this proposal with an amendment or something?

26
27 MR. KNAUER: Yes, we can.

28
29 CHAIRMAN FLEENER: Well, that's probably what we need
30 to do then.

31 MR. KNAUER: It would be possible that this Regional
32 Council could recommend that this proposal be adopted as
33 modified to delineate that area as described -- that portion of
34 Unit 24, as described under -- where the resource has been
35 harvested and that for other communities, we'll say in Unit 24,
36 it would be no determination. That would preserve the other
37 communities in Unit 24 use of it.

38
39 MR. GINNIS: Mr. Chairman, maybe the other solution
40 might just very well be to include the Koyukuk villages as part
41 of this proposal. You know, rather than going through this
42 thing you're talking about, you know, I don't know if that's
43 satisfactory to the person that's proposing this proposal.

44
45 CHAIRMAN FLEENER: Okay. We've got a community member
46 here that's been wanting to say something for awhile, why don't
47 we let him speak.

48
49 MR. NED: My name is Stanley Ned. I'm originally from

50 Allakaket, but I'm working for Tanana Chiefs in the Wildlife

00270

1 and Parks Department. I'm here to oppose this Proposal 55 as
2 written. Because, number one, to tell our people on the
3 Koyukuk River that we can't hunt black bear is an insult to us
4 on the Koyukuk River, that's number one. And if you rewrite it
5 or amend it in some way to include the people on the Koyukuk
6 River, then this wouldn't be a problem at all.

7
8 CHAIRMAN FLEENER: But what I understand, I don't think
9 that Randy wants to amend it to include those villages. I
10 think he prefers that this corner, that it be delineated as a
11 traditional Stevens Village tribal land only for this proposal
12 and that would exclude you guys and not prevent you from
13 hunting black bears.

14
15 MR. NED: Excuse me, if you put Proposal 25 -- or Unit
16 25 on there then it's not going to be a problem at all.

17
18 MR. MAYO: Well, see what I'm trying to explain here is
19 that all these -- this map is just a recent development, okay.
20 We're going on our tribal traditional lands, which precludes,
21 you know, it was before Statehood, you know. Even -- you know,
22 it goes way back, you know. So you know, these game management
23 units have dissected our territories up and this is where the
24 confusion is coming from. You know, our territory doesn't
25 extend over to the Koyukuk River, do you see what I mean? Like
26 I said, this isn't our map, so that's where the confusion is
27 coming from, you know.

28
29 CHAIRMAN FLEENER: Okay. I think Randy wants to --
30 well, I'll let Randy do this. Go ahead, John.

31 MR. STARR: When I got on this board, just like I said,
32 these villages weren't picked -- they were picked for certain
33 reasons. Because like I said they were picked for -- that's
34 where they get access for their food.

35
36 MR. TITUS: Yeah.

37
38 MR. STARR: For that certain area. And the villages
39 are out there still today and they're still using them areas as
40 their hunting grounds. And that's what he's trying to explain.
41 He just wants that little area there and that's what I said,
42 when I said those villages were picked for certain reasons,
43 that's where there were hunting grounds there and now you're
44 putting numbers on all of them confusing everybody.

45
46 CHAIRMAN FLEENER: Thanks, John. Why don't we amend
47 this to say the traditional tribal land of Stevens Village and
48 I think that will satisfy the needs. Yes, Bill, I see your
49 hand going up. And these traditional lands are outlined in

50 Stevens Village land use planning and they've got other

00271

1 documents to show their traditional land if you don't know what
2 it is.

3

4 MR. KNAUER: Mr. Chairman, I might suggest that what
5 you do is for Unit 24, say Unit 24 black bear, those residents
6 of Unit 24 and Wiseman, not including the residents of the
7 other communities of the highway corridor and then Unit 24,
8 that portion describing what Mr. Mayo has said, additionally
9 Stevens Village. So what you've done is you've not excluded
10 the other residents of Unit 24, but you've also identified the
11 residents of Stevens Village in that corner of Unit 24 that he
12 has apparently drawn on their use map.

13

14 CHAIRMAN FLEENER: That might be good as long as the
15 traditional use land of Stevens Village is included, I think
16 that's the entire intent is that that's recognized. Does the
17 Council wish to go that way? Do you want to amend the motion
18 that way, the way he suggested that we exclude all the
19 residents of the -- I mean all the villages or whatever they
20 call it, the corridor? And that includes the.....

21

22 MR. MAYO: No. We don't want to effect these guys over
23 there.

24

25 CHAIRMAN FLEENER: Right. But the way the proposal's
26 written now, they think they're being effected.

27

28 MR. GINNIS: Mr. Chairman, can we take a little break
29 on this issue?

30

31 CHAIRMAN FLEENER: Sure. Let's take a five minute
32 break.

33

34 (Off record)

35 (On record)

36

37 CHAIRMAN FLEENER: Go ahead, Vince.

38

39 MR. MATHEWS: I know they're still working out defining
40 an area within 24 where Proposal 55 would address customary and
41 traditional use of that area for only the residents of Stevens
42 Village. I'm going to try to put this as plainly as I can, the
43 proposals that addressed -- that Randy introduced and
44 discussed, if put into regulations -- into regulations, the use
45 of that traditional use area would only be for residents of
46 Stevens Village. So if residents up river, Beaver, Ft. Yukon,
47 et cetera, would not qualify under Federal regulations to hunt
48 in that area for Federal seasons. That would be the intent --
49 the result if these proposals passed. And maybe that needs to

50 be discussed and if that's agreed to, then that would be --

00272

1 anyways, maybe that needs to be discussed. And then maybe when
2 the refined wording for 24 comes forward, then that might.....

3
4 CHAIRMAN FLEENER: Maybe while we're waiting for these
5 guys to iron some more of this out, we can hear Terry's -- the
6 State's stand on this proposal.

7
8 MR. HAYNES: Thank you, Mr. Chairman. The Department
9 commented initially on the proposal as written. And we opposed
10 that proposal because we did not believe that the Federal
11 customary and traditional use regulations should recognize only
12 Stevens Village as having those uses in Unit 24. Now, that the
13 proposal's being modified, we'll have to rethink our comments,
14 but I guess the question will be if there is evidence that
15 other communities have a customary and traditional use of this
16 area that is part of the Stevens Village traditional land use
17 area in Unit 24, then we would question whether they should be
18 eliminated from continuing that use.

19
20 CHAIRMAN FLEENER: Philip.

21
22 MR. TITUS: They made a document, it refers to the
23 (indiscernible) and it shows some guys hunting, they're hunting
24 from Allakaket, that should be documented enough. They've been
25 doing it for centuries.

26
27 CHAIRMAN FLEENER: More discussion on this? Did you --
28 yeah, Bruce.

29
30 MR. GREENWOOD: I'm not sure what you came up with and
31 I guess I'm going to ask Bill, is it necessary -- are you going
32 to change this -- the recommendation? If not, I could read in
33 what the Staff recommendation was -- what the preliminary
34 conclusion was for this analysis based on the original proposal
35 regarding all of Unit 24.

36
37 CHAIRMAN FLEENER: Well, I think we probably basically
38 know the opinion that everyone else would be excluded, so you
39 wouldn't recommend it.

40
41 MR. GREENWOOD: Yeah, we weren't recommending c&t for
42 all of Unit 24 and the residents of Wiseman.

43
44 CHAIRMAN FLEENER: Okay. We're on 55 discussing this
45 proposal.

46
47 MR. HAYNES: Mr. Chairman?

48
49 CHAIRMAN FLEENER: About the possibility of amending

50 it. Yes.

00273

1 MR. HAYNES: It's real difficult right now because we
2 don't have a real good map with the drain -- with showing the
3 drainages and so on. But the wording would be similar to this;
4 Unit 24, that portion drained by and it would describe that
5 area, it might be, you know, the upper portion of the Dittrich
6 River, whatever it would be, I'd have to look at a map to give
7 an exact and then it would read, residents of Unit 24 and
8 residents of Stevens Village excluding residents of the Dalton
9 Highway Corridor except Wiseman. And then it would have Unit
10 24, remainder and it would be residents of Unit 24, including
11 Wiseman and excluding the other residents of the Dalton Highway
12 Corridor.

13
14 CHAIRMAN FLEENER: Why would it say, including Wiseman,
15 they're in Unit 24, aren't they?

16
17 MR. HAYNES: Because they are within the Highway
18 Corridor and.....

19
20 CHAIRMAN FLEENER: Are they automatically excluded?

21
22 MR. HAYNES: And if you just said excluding -- excuse
23 me, let me back up. There are a number of communities in the
24 Highway Corridor who are very definitely, based on the
25 information, not customary and traditional users, however, the
26 residents of Wiseman are. And so you want to protect their
27 customary and traditional uses while excluding.....

28
29 CHAIRMAN FLEENER: So it's not a redundancy though,
30 because.....

31
32 MR. HAYNES: No, it is not.

33
34 MR. GREENWOOD: No.

35
36 CHAIRMAN FLEENER: Okay. Well, does anybody want to
37 make that amendment or to suggest that amendment?

38
39 MR. GOOD: I so move as described and acceptable to,
40 that sounds a little clumsy. Maybe as -- I move as described,
41 how's that?

42
43 CHAIRMAN FLEENER: Yeah. Is that -- I guess we have to
44 ask whoever -- who seconded that motion?

45
46 MR. GOOD: And acceptable to Mr. Mayo, I guess.

47
48 CHAIRMAN FLEENER: Who made that motion and second?

49

MR. GINNIS: I'll second the motion.

00274

1 CHAIRMAN FLEENER: Yeah, we had a motion to adopt
2 Proposal 55, we're now amending that motion. But I need to
3 know who made the motion and the second, so we can ask them.

4
5 MR. GOOD: You made it and I seconded it.

6
7 CHAIRMAN FLEENER: Okay, so those two -- okay.
8 Discussion on the amendment to the motion?

9
10 MR. GINNIS: Don't ask me no more questions.

11
12 CHAIRMAN FLEENER: Okay, Terry.

13
14 MR. HAYNES: Mr. Chairman, thank you. I was just
15 wondering if Staff could -- if they looked at the justification
16 in the way the proposal was originally analyzed and on the
17 basis for which the preliminary conclusion was made, there is
18 no evidence provided in this justification showing that Stevens
19 Village has harvested brown -- black bears in Unit 24. Your
20 proposal now is suggesting that there is a customary and
21 traditional use of black bears in Unit 24 -- in a portion of 24
22 by Stevens Village. It may be useful for your justification to
23 explain how you'd arrived at this change.

24
25 CHAIRMAN FLEENER: Go ahead, Randy.

26
27 MR. MAYO: You know, you're -- I don't know what you
28 base your justification on, you know, you guys are, you know,
29 pretty much immigrants to the area. I don't know if you really
30 know where a lot of the Stevens Village originated from,
31 including my great-grandparents from the southfork of the
32 Koyukuk. I have distant relatives in Allakaket and Alatna,
33 okay. Now, did you guys know that?

34
35 MR. HAYNES: Mr. Chairman, I did not write the
36 justification for this proposal.

37
38 MR. MAYO: Well, that's the problem here, we're going
39 on your -- what you perceive as your history.

40
41 MR. GREENWOOD: I think the point that Terry makes is
42 that the -- you know, which is true, the analysis based on this
43 information shows that Stevens Village would not have the use --
44 c&t use of black bear in Unit 24. The one thing we mentioned
45 at the beginning of this conversation -- or the beginning of
46 this meeting this afternoon, is that, the Regional Council --
47 members of the Regional Council could, based on their
48 traditional and environmental knowledge of the area, state that
49 yes they truly indeed have used black bear in Unit 24 and I

50 understand that to be sufficient for our purposes.

00275

1 MR. GINNIS: Mr. Chairman?

2

3 CHAIRMAN FLEENER: Considering that the history that --
4 of you guys -- of your documentation that -- the agency
5 documentation and the longer history of the Native use of the
6 areas, I think that Randy's explanation should be satisfactory.
7 Yes, Steve.

8

9 MR. GINNIS: Well, I think you just said what I wanted
10 to say, is that, there's a request here for some kind of
11 justification for doing what we're going to be doing here. I
12 think how Randy articulated this whole issue should bring that
13 point around, that they have, in the past, used that area.
14 Now, if that's not justification enough, then I don't know what
15 could be. What do you need, a document? What do you need, a
16 picture or what? I'm not trying to be funny about this. And
17 because -- it really gets to me when we're trying to justify
18 our use areas, you know. And yet we get a response like, well,
19 we need maybe just a little more justification or something to
20 that effect, you know. So I'm satisfied with how Randy had
21 articulated the tradition on this. I think it's clear to me
22 that they've had use areas in there, but the only question that
23 I have that kind of bothers me is the use of the other people
24 in that region.

25

26 CHAIRMAN FLEENER: Go ahead.

27

28 MR. KNAUER: Mr. Chairman, the folks on the regional
29 team here, support team, are not questioning the justification
30 that Mr. Mayo provided. They believe it's very good. And it
31 -- for our purposes here, that's entirely adequate.

32

33 CHAIRMAN FLEENER: Thank you.

34

35 MR. GOOD: Mr. Chairman?

36

37 CHAIRMAN FLEENER: Yes.

38

39 MR. GOOD: Just to add to that, it presently says all
40 rural residents, so nobody's being excluded, so it's not a
41 question of anybody here being given a right they don't already
42 have. It's a question of identifying communities that would
43 actually be given that preference in that.....

44

45 CHAIRMAN FLEENER: Actually where its says proposed
46 regulation, all rural residents is scratched out, so that would
47 be the changes that -- the only people that would be able to
48 harvest in those areas would be, according to this proposal,
49 would be residents of Stevens Village.

00276

1 MR. GOOD: Right. But what I'm saying here is he's
2 requesting that the villages in that area be identified in
3 essentially their zones -- identified -- he's not asking for
4 something he doesn't already have. He already can hunt there,
5 he wants to be identified in that area.

6
7 CHAIRMAN FLEENER: Well, I think Steve had a point,
8 maybe we can talk about it for one or two minutes, about the
9 possible exclusion of the other Yukon River villages, Beaver
10 and Rampart or -- go ahead, Steve.

11
12 MR. GINNIS: Mr. Chairman, I think the proposed
13 language that's been proposed by Staff over here covers that.
14 It covers, not only the residents of -- the way I understood
15 his proposal is that it would also include other residents
16 within that region or that area -- unit.

17
18 CHAIRMAN FLEENER: That's only for Unit 24, though; am
19 I right? Yeah, it doesn't include 25.

20
21 MR. GINNIS: We're not talking about 25.

22
23 MR. GOOD: Twenty-five doesn't enter -- excuse me, Mr.
24 Chairman.

25
26 CHAIRMAN FLEENER: Yes.

27
28 MR. GOOD: Twenty-five doesn't enter into this --
29 members -- people who live in 25 can already hunt in 24 because
30 it says all rural residents, unless I've missed something.

31
32 MR. KNAUER: No. The all rural residents would be
33 replaced by this determination. So it would no longer be those
34 other folks for wherever.

35
36 MR. GOOD: I think we're talking apples and oranges
37 here. What I'm saying is go along with what you got, that
38 there shouldn't be any problem justifying his -- the Stevens
39 Village opportunity to hunt in that area because it seems to me
40 that they already have it, unless they were being denied.

41
42 CHAIRMAN FLEENER: Maybe you should read that.

43
44 MR. KNAUER: Okay. First off, once there is a positive
45 c&t determination, others are excluded, okay. The positive c&t
46 determination in this particular case would be Unit 24, that
47 portion drained by.....

48
49 CHAIRMAN FLEENER: The Stevens Village corridor.

00277

1 MR. KNAUER: It'd be -- I'd have to look at a real good
2 map, but I will do so at the end of the week when I'm back in
3 Anchorage, it'd be that Stevens Village area up in 24, it would
4 call for the residents of Unit 24 and the residents of Stevens
5 Village and it would exclude the residents of the Dalton
6 Highway Corridor, other than the residents of Wiseman. Then
7 for the remainder of Unit 24, it would be the residents of Unit
8 24 and would exclude the corridor residents, except for the
9 community of Wiseman.

10
11 MR. GOOD: Mr. Chairman, and the motion I made there
12 was only that -- added to it that Randy would check this out
13 and make sure that that incorporated the areas that he was
14 talking about.

15
16 CHAIRMAN FLEENER: Okay. Is there anymore discussion
17 on this motion?

18
19 MR. GINNIS: Question on the motion.

20
21 CHAIRMAN FLEENER: Randy had something right before you
22 called question.

23
24 MR. MAYO: Yeah. I just wanted to make one quick
25 comment on this -- some language that's being throwed around
26 here that, you know, if this thing goes that we're going to
27 exclude neighboring villages, well that's the Federal
28 government law, that's not Stevens Village law. This law comes
29 from thousands of miles away, you know. You know, we know our
30 neighbors, we're related and we have lots of friends in these
31 different villages, so when words like, this thing will exclude
32 other people, you have to remember, that law comes from a
33 thousand miles away and further.

34
35 CHAIRMAN FLEENER: Okay. Randy -- I mean, thank you,
36 Randy. Steve, did you call for the question? Did you still
37 want to call for the question. Okay, more discussion?

38
39 MR. SAM: I got something to say.

40
41 CHAIRMAN FLEENER: Okay, go ahead, Timothy.

42
43 MR. SAM: We, as a body here, to backup the input from
44 -- no, either individual or especially like this case, I think
45 that we should recognize as, you know, Unit 25, 24, such and
46 such as a traditional way of life the way he has described it.
47 And for remaining of that 24 -- Unit 24, that -- no, should be
48 included, too, you know. But that small portion of that circle
49 up there, Stevens Village should have access to hunt because

50 you see there's a pipeline up there, they got a lot of input

00278

1 from that, people hunting in those areas.

2
3 MR. GINNIS: Mr. Chairman?

4
5 CHAIRMAN FLEENER: Yes, Steve.

6
7 MR. GINNIS: I think the way, if I understood this
8 motion, it takes care of both users of that area.

9
10 CHAIRMAN FLEENER: Yes.

11
12 MR. GINNIS: And I think that's what we're trying to --
13 I mean that's what's been kind of an issue here is how to deal
14 with that issue. And I think the proposed language does take
15 care of that and also allows the people from Stevens Village to
16 use the area.

17
18 CHAIRMAN FLEENER: Yeah.

19
20 MR. GINNIS: And so it doesn't exclude anyone the way I
21 understand the proposed -- so I would ask for the question on
22 the motion.

23
24 CHAIRMAN FLEENER: Question's been called. All in
25 favor of the motion signify by saying aye.

26
27 IN UNISON: Aye.

28 CHAIRMAN FLEENER: All opposed same sign.

29
30 (No opposing votes)

31
32 CHAIRMAN FLEENER: Steve called the question if you
33 didn't get that.

34
35 COURT REPORTER: Thank you.

36
37 CHAIRMAN FLEENER: Now, my question to you guys is how
38 does this address the rest of Stevens Village traditional area
39 not in Unit 24? It doesn't address it?

40
41 MR. MATHEWS: No it does not address.

42
43 MR. GINNIS: The last thing, Mr. Chairman, you know,
44 we're caught between two units here, I think. I mean not
45 units, but by two Councils, you know, the Western Council and
46 this Eastern Council here. And I'm glad that we took some lead
47 in trying to resolve this issue because it's going to come
48 before the Western Subsistence Council also, because that's
49 really within their jurisdiction. So I think it might be

50 helpful for them in a way that we had the opportunity to

00279

1 discuss this and to clarify the issue as it was presented
2 before us.

3
4 CHAIRMAN FLEENER: Now, which one did you want to go on
5 to, 69 or something?

6
7 MR. MATHEWS: No. I think it would be best since we're
8 dealing with bears to go with Proposal 58 on Page 211 in your
9 brown book, I hope. I deals also with Unit 24 brown bear. And
10 I need a second just to find public comments.

11
12 CHAIRMAN FLEENER: Okay, we need to bring this on the
13 table before we can discuss it, 58, the brown bear.

14
15 MR. GOOD: Mr. Chairman, I propose we adopt Proposal
16 58. I move that we do so.

17
18 CHAIRMAN FLEENER: 58B, 58A has been withdrawn?

19
20 MR. GOOD: 58B, yes.

21
22 MR. GINNIS: Mr. Chairman?

23
24 CHAIRMAN FLEENER: Yes.

25
26 MR. GINNIS: You know all these.....

27
28 CHAIRMAN FLEENER: We have a motion on the table.

29
30 MR. GINNIS: Yes, I understand, I'm talking to the
31 motion -- I'm speaking to the motion. Yeah, we're open to
32 discussion.

33
34 CHAIRMAN FLEENER: No, we have no second on the motion
35 yet.

36
37 MR. GINNIS: Oh, I'll second the motion.

38
39 CHAIRMAN FLEENER: Okay, it's been seconded by Steve.
40 Discussion?

41
42 MR. GINNIS: Okay. I guess what I was going to say is
43 that I thought by the action we just took on this Proposal 55
44 took care of these other proposals that are in here because
45 they're primarily related to the same issue. The only
46 difference is it's a brown -- one had to do with brown bear and
47 the other one with black bear or something like that. But
48 anyways, they're primarily the same issues and I think we've
49 already resolved it and I think we ought to go on to the next

50 one.

00280

1 CHAIRMAN FLEENER: Well, I think we can just adopt the
2 same wording to do the same thing, but we have to address each
3 proposal individually.

4
5 MR. GINNIS: Well, in that case I'll make a motion to
6 amend the motion to include the previous language to be
7 incorporated in Proposal 58A -- or B -- or whichever one you're
8 -- B.

9
10 CHAIRMAN FLEENER: Okay. Is there a.....

11
12 MR. GOOD: Second.

13
14 CHAIRMAN FLEENER: Okay, discussion? I've got a
15 question, are there any other ones that are very similar to
16 this that we could include with this?

17
18 MR. GREENWOOD: No, I don't think so.

19
20 CHAIRMAN FLEENER: Okay, any discussion?

21
22 MR. MAYO: Yeah. That's what I was trying to get to
23 that all of our proposals deal with the same thing, it's these
24 different units and we're going to sit here all day going
25 around about it, that's why I just wanted to put them all in
26 one deal. Now, Steve just explained to you that we already
27 argued and if we just go into it one by one we're going to just
28 keep arguing about the same thing.

29
30 CHAIRMAN FLEENER: Well, if there's no discussion, I
31 don't think it's going to take anymore of our time. If someone
32 calls the question we.....

33
34 MR. TITUS: Question.

35
36 CHAIRMAN FLEENER:can just go ahead and vote on
37 it. Hold on, the question's already been called?

38
39 MR. GINNIS: Well, he's got to.....

40
41 CHAIRMAN FLEENER: Okay, go ahead, Bruce.

42
43 MR. GREENWOOD: I think the only difference here is
44 that there is presently c&t for brown bear within Unit 24 --
45 for the residents of Unit 24, including Wiseman, but not
46 including other residents in the Dalton Highway Corridor
47 management area and that's the only difference between the two.

48
49 CHAIRMAN FLEENER: Okay. Any more discussion?

00281

1 MR. TITUS: Question.

2

3 CHAIRMAN FLEENER: Okay, question's been called. All
4 in favor of the motion -- well, I did kind of leave the State
5 out of this discussion, but are you going to.....

6

7 MR. HAYNES: Number one, I'm not sure what the proposal
8 is now, if you're carrying over the language from the previous
9 proposal to this area as well?

10

11 CHAIRMAN FLEENER: Vince, do you have the.....

12

13 MR. MATHEWS: Yeah.

14

15 MR. HAYNES: And I guess we would just repeat comments
16 that we made on the previous proposal for this one as well.

17

18 CHAIRMAN FLEENER: Right, thank you. Okay, the
19 question's been called. All in favor of the motion signify by
20 saying aye.

21

22 IN UNISON: Aye.

23

24 CHAIRMAN FLEENER: All opposed same sign.

25

26 (No opposing votes)

27 CHAIRMAN FLEENER: Motion carries.

28

29 MR. MATHEWS: Mr. Chairman, that brings you back up to
30 the main motion as amended.

31

32 CHAIRMAN FLEENER: What?

33

34 MR. MATHEWS: You just passed the amendment to include
35 the language which was moved and seconded by Ginnis.

36

37 CHAIRMAN FLEENER: Okay.

38

39 MR. MATHEWS: Now, you're back to the main motion,
40 which was to adopt Proposal.....

41

42 CHAIRMAN FLEENER: Okay, is there any discussion on
43 that motion?

44

45 MR. GOOD: Question.

46

47 CHAIRMAN FLEENER: Question's been called. All in
48 favor of the motion signify by saying aye.

49

00282

1 CHAIRMAN FLEENER: All opposed.....

2

3 COURT REPORTER: Who called the question?

4

5 CHAIRMAN FLEENER: Nat called the question.

6 same sign.

7

8 COURT REPORTER: Thank you.

9

10 CHAIRMAN FLEENER: Which one do you want to handle now,
11 Vince?

12

13 MR. MATHEWS: I think the next one would be Proposal

14 69.....

15

16 MR. GINNIS: That one was 68.

17

18 MR. MATHEWS: No, 69 which was found on.....

19

20 MR. GINNIS: It's 68 in here, Unit 11, sheep -- 68 I
21 got in this book.

22

23 MR. MATHEWS: Yes, I think it would be best to stay
24 with the Stevens Village initiative and the next -- there's
25 several proposals that deal with their initiative and 69, 70,
26 71 and 73.

27

28 CHAIRMAN FLEENER: Okay.

29

30 MR. GINNIS: Well, I'm just going off of what's in this
31 book here and the next one says, Proposal 68, Unit 11 sheep.

32

33 MR. MATHEWS: Right. The book was put together for
34 expediency of office organization, not maybe for meeting
35 streamlining.

36

37 CHAIRMAN FLEENER: Which one are you on, Vince?

38

39 MR. MATHEWS: I would say it would be best to go with
40 Proposal 69 which deals with black bear.

41

42 CHAIRMAN FLEENER: Okay, let's go with 69.

43

44 MR. MATHEWS: In Unit 20 and 25.

45

46 CHAIRMAN FLEENER: What page is that?

47

48 MR. MATHEWS: It is a Stevens Village proposal.

49

CHAIRMAN FLEENER: And what page in the brown book?

00283

1 MR. GREENWOOD: That is Page 9 in the green book.

2
3 MR. GOOD: Nine in the green book.

4
5 MR. GREENWOOD: Excuse me, Page 8.

6
7 MR. GOOD: I got to find my green book now.

8
9 MR. MATHEWS: I apologize for switching, but the amount
10 of analysis -- we now need to go in the green book, Tab L, Page
11 8, I gather.

12
13 CHAIRMAN FLEENER: Okay. Does someone want to bring
14 this on the table?

15
16 MR. GOOD: Mr. Chairman?

17
18 CHAIRMAN FLEENER: Yes.

19
20 MR. GOOD: I move to adopt Proposal 69.

21
22 CHAIRMAN FLEENER: It's been moved. Is there a second?

23
24 COURT REPORTER: Who?

25 CHAIRMAN FLEENER: By Nat Good. Is there a second?

26
27 MR. MILLER: Second.

28
29 CHAIRMAN FLEENER: Second by Chuck.

30
31 MR. GINNIS: Where are we folks?

32
33 CHAIRMAN FLEENER: Proposal 69, Page 8 in your green
34 book under Tab L.

35
36 MR. GINNIS: Green book. Don't ever do that again.....

37
38 CHAIRMAN FLEENER: Okay, Vince. Any public comments?

39
40 MR. MATHEWS: Yes, if I can find it. No, I don't
41 believe there is any. The State may have a comment.....

42
43 CHAIRMAN FLEENER: Okay, Bruce.

44
45 MR. MATHEWS:on Proposal 69.

46
47 MR. GREENWOOD: This proposal is similar to the last
48 one which requests determination only for Stevens Village. The
49 board has not made a c&t determination for black bear in Unit

50 25 or 20. Currently the Federal regulations provide all rural

00284

1 residents with a year-round season and harvest of three black
2 bears in all of Units 20 and 25.

3
4 The Staff -- or the preliminary conclusion is to modify
5 the proposal, Unit 20(F) should include Stevens Village,
6 Rampart, Tanana, Manley, Unit 25(D), should include all
7 residents with Unit 25(D). And there's good evidence that
8 Tanana and Stevens Village have customary and traditional use
9 of black bears in Unit 20(F). And Rampart and Manley have
10 similar use patterns and therefore they ought to also be
11 included. In 25(D), all the communities in 25(D) have
12 customary and traditionally harvested black bear within Unit
13 25(D) and they're recommended for customary and traditional
14 use.

15
16 CHAIRMAN FLEENER: Okay. State.

17
18 MR. HAYNES: Mr. Chairman, we'll defer our final
19 comment, but I believe that we would support the preliminary
20 conclusions made by Staff. We would not support the original
21 proposal as written.

22
23 CHAIRMAN FLEENER: Okay, anymore discussion by the
24 Council? Staff recommends that we adopt the language in the
25 shaded area -- no, that's not what you're recommending?

26
27 MR. MATHEWS: No, no, Mr. Chairman, no. Page 18.

28
29 MR. GREENWOOD: Page 18.

30
31 MR. MATHEWS: Page 18 is the recommendation.

32
33 CHAIRMAN FLEENER: Okay. I thought we were on.....

34
35 MR. MATHEWS: And again -- let's leave it at that.
36 It's Page 18. The Staff is recommending.....

37
38 CHAIRMAN FLEENER: The inclusion of.....

39
40 MR. MATHEWS:that c&t for 20(F) include Stevens
41 Village, Rampart, Tanana and Manley, for 25(D) it would be all
42 residents of 25(D).

43
44 CHAIRMAN FLEENER: So if we support your recommendation
45 we would have to make that statement, that we support Staff
46 recommendation on this proposal?

47
48 MR. MATHEWS: Correct. And the result would be 20(F)
49 would go, not an all rural residents and 25(D) you would now

50 have a Federal subsistence priority for black bear.

00285

1 CHAIRMAN FLEENER: And are we going to have to amend
2 the motion?

3
4 MR. MATHEWS: Yes, you would have to amend the motion --
5 or -- yes, amend the motion. I'm lost. Yes, you would have
6 to amend the motion to say that your recommendation would be to
7 adopt the Staff conclusions.

8
9 CHAIRMAN FLEENER: Okay. Discussion by Council?

10
11 MR. GOOD: Oh, wow. Has Randy got any comments on
12 this?

13
14 MR. MAYO: Is it this here?

15
16 CHAIRMAN FLEENER: Um-hum, the recommendation is that
17 you include Rampart and Manley and these other villages that
18 you -- Tanana.

19
20 MR. MAYO: Yeah. See.....

21
22 CHAIRMAN FLEENER: What are the villages that all would
23 be included, could you repeat those, please?

24 MR. MATHEWS: For 20(F)?

25
26 MR. GINNIS: For all of 25(D).....

27
28 MR. MAYO: Yeah, you guys have to make it clear to the
29 residents of these communities that we're not talking about all
30 the way to Tanana, it's just small portions of the units, you
31 know.

32
33 MR. MATHEWS: Correct.

34
35 MR. MAYO: So let them know that instead of just making
36 it sound like we're going to take over the whole country here.

37
38 MR. MATHEWS: I'm not saying that Randy. The proposal
39 is saying the areas you described and has mapped out on the
40 area. The Staff recommendation is to make a wider
41 determination.

42
43 MR. MAYO: Well, that's their areas.

44
45 MR. MATHEWS: So.....

46
47 CHAIRMAN FLEENER: Okay. Yeah, Randy supports that.
48 If the Council supports it, we'd have to amend the motion to
49 adopt -- or to go along with Staff recommendations.

00286

1 MR. GOOD: Mr. Chairman, I move that the committee
2 modify our proposal here -- modify the proposal to be in line
3 with the justification as given by Staff.

4
5 CHAIRMAN FLEENER: Sounds good. Steve, do you concur
6 with that since you're the originator of the motion?

7
8 MR. GINNIS: I don't know what you guys are talking
9 about. I mean what is the Staff recommendation?

10
11 CHAIRMAN FLEENER: Their recommendation is that Stevens
12 Village, Rampart, Tanana and Manley be included in this.

13
14 MR. GINNIS: Right.

15
16 CHAIRMAN FLEENER: That's their recommendation. If we
17 just passed it, it will only be Stevens Village.

18
19 MR. GINNIS: And then.....

20
21 CHAIRMAN FLEENER: And Randy supports that.

22
23 MR. GINNIS: Yeah, but that don't mean you discuss
24 that.....

25
26 MR. GREENWOOD: Mr. Chair?

27
28 MR. GINNIS: It also discusses 25(D), right?

29
30 CHAIRMAN FLEENER: Yes. Oh, yeah, and 25(D).

31
32 MR. GINNIS: All residents of 25(D)?

33
34 MR. GOOD: That's correct.

35
36 CHAIRMAN FLEENER: Yeah, I forgot that.

37
38 MR. GINNIS: Now, what were you asking me?

39
40 CHAIRMAN FLEENER: If you support that -- he's amending
41 the motion.....

42
43 MR. GINNIS: Oh, yes, yes.

44
45 CHAIRMAN FLEENER:you're the originator of the
46 motion.

47
48 MR. GINNIS: Yes.

49

CHAIRMAN FLEENER: Okay. Now, discussion on the

00287

1 amended motion?

2

3 MR. GOOD: Question.

4

5 CHAIRMAN FLEENER: Question's been called. All in
6 favor of the amendment signify by saying aye.

7

8 IN UNISON: Aye.

9

10 CHAIRMAN FLEENER: All opposed same sign.

11

12 (No opposing votes)

13

14 CHAIRMAN FLEENER: Amendment passes. Now we need to
15 pass the original motion.

16

17 MR. MATHEWS: Correct.

18

19 CHAIRMAN FLEENER: Any discussion on the original
20 motion?

21

22 MR. GOOD: Question.

23

24 CHAIRMAN FLEENER: Question's been called. All in
25 favor of the motion signify by saying aye.

26

27 IN UNISON: Aye.

28

29 CHAIRMAN FLEENER: All opposed same sign.

30

31 (No opposing votes)

32

33 MR. GOOD: We're getting better.

34

35 COURT REPORTER: Okay, who called the question on that?

36

37 CHAIRMAN FLEENER: Pick anyone.

38

39 MR. TITUS: Okay, what did you say?

40

41 CHAIRMAN FLEENER: That was 69, now we're going to 70.

42

43 MR. GINNIS: Move to adopt Proposal 70.

44

45 CHAIRMAN FLEENER: There's a motion on the floor by
46 Steve to adopt Proposal 70. Is there a second?

47

48 MR. MILLER: Second.

49

CHAIRMAN FLEENER: Second by Chuck. Discussion?

00288

1 Vince, take it away. Let's make haste.

2

3 MR. MATHEWS: Proposal 70 is the same as Proposal 69
4 except it is for brown bear. I think the only comment we have
5 is from Alaska Department of Fish and Game.

6

7 CHAIRMAN FLEENER: Okay. I'll let Bruce go since
8 that's the order we're going in.

9

10 MR. GREENWOOD: Okay. This one because it's for brown
11 bear and the request is for traditional range, a small northern
12 portion in Unit 20(F) and the Western Corridor 25(D). For
13 20(F) there's no determination of customary and traditional use
14 that's been made. All rural residents are eligible. The
15 effect of the proposal would be to identify specific
16 communities with qualifying uses. For 25(D) the proposal would
17 reverse an earlier determination that no qualifying customary
18 and traditional use of brown bear has occurred within the unit.

19

20 CHAIRMAN FLEENER: So without going through all the
21 complicated language, what did you just say? That you'd like
22 to change it to say?

23

24 MR. GREENWOOD: Okay. So what the Staff conclusion is,
25 would be 20(F) should include Stevens Village, Rampart, Tanana
26 and Manley, Unit 25(D) should include all residents within Unit
27 25(D).

28

29 CHAIRMAN FLEENER: Okay.

30

31 MR. GREENWOOD: And one thing for the Council to
32 consider is whether or not Livengood and Coldfoot would be
33 given positive c&t for these areas -- for area 20(F).

34

35 MR. GOOD: Oh, yeah, they're right on.....

36

37 CHAIRMAN FLEENER: Okay, Terry.

38

39 MR. HAYNES: Mr. Chairman, we'll defer final comment on
40 this proposal. But we would be more inclined to support the
41 preliminary conclusion than we would the original proposal. We
42 do have.....

43

44 CHAIRMAN FLEENER: The conclusion he just now made you
45 would support?

46

47 MR. HAYNES: We would be more supportive of that. We
48 have some questions about whether there is sufficient
49 documentation of customary and traditional use of brown bear by

50 all of these communities in all of these units.

00289

1 CHAIRMAN FLEENER: All communities, not any one or two
2 in particular?

3
4 MR. HAYNES: At this point, we just question whether
5 there's sufficient information to support that generally.

6
7 CHAIRMAN FLEENER: Okay, thank you, Terry. Discussion
8 by the -- yes, Philip.

9
10 MR. TITUS: C&T findings on Livengood and Coldfoot, I
11 don't think there's any since it's communities that's been
12 setup there after -- after I don't know, by the miners and the
13 oil field workers who setup these communities. And they don't
14 have no historical customary and traditional use in that area
15 except for goldmining and oil work -- oil field work.

16
17 MR. GINNIS: Mr. Chairman?

18
19 CHAIRMAN FLEENER: Yes, Steve.

20
21 MR. GINNIS: I think that's -- I mean if I read this
22 proposal correctly, it doesn't include those communities that
23 he's referring to in this proposal; is that correct?

24
25 MR. MATHEWS: That is correct.

26
27 MR. GINNIS: Unless we wanted to include them?

28
29 MR. MATHEWS: Right. And he's responding to the
30 request from Staff and an analysis that Eastern Interior may
31 want to address that and he's addressing it by saying they do
32 not.

33
34 MR. GINNIS: I see, okay.

35
36 CHAIRMAN FLEENER: Okay. Same thing as last time, if
37 we want to adopt and go along with Staff recommendations, we
38 have to amend the motion and so on and so forth.

39
40 MR. MAYO: Who made the motion?

41
42 CHAIRMAN FLEENER: The motion was made by Steve and the
43 second was made by Nat.

44
45 MR. GOOD: Well, actually it was Chuck.

46
47 CHAIRMAN FLEENER: Or Chuck, excuse me, yeah, I forgot
48 he got in there this time.

49

MR. GINNIS: We have to wake him up.

00290

1 MR. GOOD: Mr. Chairman, I move we modify the proposal
2 to include the preliminary conclusions of Staff.

3
4 CHAIRMAN FLEENER: Okay. Chuck and Steve, do you -- is
5 that a friendly amendment?

6
7 MR. GINNIS: Yes.

8
9 MR. MILLER: Yes.

10
11 CHAIRMAN FLEENER: Okay, they go along with that.

12 Discussion?

13
14 MR. TITUS: Question.

15
16 CHAIRMAN FLEENER: Question's been called. All in
17 favor of the amendment to the motion signify by saying aye.

18
19 IN UNISON: Aye.

20
21 CHAIRMAN FLEENER: All opposed same sign.
22 (No opposing votes)

23
24 CHAIRMAN FLEENER: Motion carries. Now, discussion on
25 the original motion; is there any further discussion?

26
27 MR. GINNIS: Question.

28
29 CHAIRMAN FLEENER: Question's been called by Steve.
30 All in favor of the motion signify by saying aye.

31
32 IN UNISON: Aye.

33
34 CHAIRMAN FLEENER: All opposed same sign.

35
36 (No opposing votes)

37
38 CHAIRMAN FLEENER: Motion carries. Next one, 74 or do
39 you want to stick with bears -- bears are done.

40
41 MR. MATHEWS: I think it would be best to go with 71 to
42 continue with making sure we follow the lead from Stevens
43 Village, so 71 and 73 we need to deal with. Yes, 71 is
44 probably in your green book, I hope.

45
46 CHAIRMAN FLEENER: Yes, 71 is on Page 35 of Tab L.

47
48 MR. MATHEWS: Okay, it's found on Page 35. It deals
49 with caribou in Unit 20 and 25.

00291

1 CHAIRMAN FLEENER: Okay, does someone want to bring
2 this on the table?

3
4 MR. GINNIS: I will move it.

5
6 MR. MATHEWS: Mr. Chairman, in that book we are working
7 our way through c&t's, Proposal 56 would be the first one up, I
8 believe after we deal with customary and traditional use.....

9
10 CHAIRMAN FLEENER: We'll get to that in a few minutes.
11 Okay, Steve made a motion to bring Proposal 71 or to adopt
12 Proposal 71. Is there a second.

13
14 MR. GOOD: I'll second.

15
16 CHAIRMAN FLEENER: Second by Nat. Discussion? Vince,
17 anymore discussion?

18
19 MR. MATHEWS: No. Other than what the State has.

20
21 CHAIRMAN FLEENER: We'll get to him. Bruce.
22 MR. GREENWOOD: Proposal 71, it's to revise the
23 customary and traditional use determination for caribou in Unit
24 20(A), (B) and (C). It requests that the residents of Nenana
25 and Parks Highway along milepost 300 to 309 be given a positive
26 and customary and traditional use determination for caribou in
27 Unit 20(A); residents of Nenana and Minto be given a customary
28 and traditional use determination for Unit 20(B) in the Minto
29 management area and the residents of Nenana and Minto be given
30 a customary and traditional use determination for caribou in
31 Unit 20(C).

32
33 It also requests that Unit 20(D) and (E)'s c&t
34 determination for the Fortymile herd be changed from residents
35 of Unit 12 north of Wrangell Park and Preserve, rural residents
36 of Unit 20(D) and residents of 20(E) to residents of Unit 12
37 rural residents of Unit 20(D) and (E). That last sentence
38 really would only affect Chisana Nabesna within Unit 12.

39
40 CHAIRMAN FLEENER: Was this an issue that you guys
41 discussed Frank, since there's residents in your area there?

42
43 MR. ENTSMINGER: Yes, I believe it is, but we made an
44 amended proposal, see we lumped all the caribou proposals
45 together and just made an amended proposal to include Upper
46 Tanana units for the people that use it and then I -- I can get
47 our amended proposal and give it to you.

48
49 CHAIRMAN FLEENER: I was just wondering if you guys had

50 addressed it and what you felt about their preliminary

00292

1 findings?

2

3 MR. ENTSMINGER: To be honest with you what -- like I
4 say, we lumped all the proposals together and we didn't look at
5 each individual proposal because it was kind of a nightmare to
6 go through each and every one.

7

8 CHAIRMAN FLEENER: All right. Thank you, Frank. Yes,
9 Bruce.

10

11 MR. GREENWOOD: Their recommendation would provide c&t
12 for Chisana/Nabesna area that's requested in this proposal.

13

14 CHAIRMAN FLEENER: Okay. All right, thanks.

15

16 MR. MILLER: Mr. Chairman?

17

18 CHAIRMAN FLEENER: Yes, Chuck.

19

20 MR. MILLER: I got a question for Bruce, in Unit 20(E),
21 the McComb herd, what was the Staff recommendation on that?

22 MR. GREENWOOD: I haven't read the recommendation yet.

23

24 MR. MILLER: For 20(D)?

25

26 MR. GREENWOOD: No, I haven't. No, I would do that
27 now. The preliminary conclusion would be to adopt proposals to
28 add McKinley Village and Parks Highway along milepost 216 to
29 239, which I believe was done last year by the Board and this
30 conclusion may be in error. 20(A) there would be c&t,
31 customary and traditional use for Unit 20(A) for the residents
32 of Nenana and Parks Highway 300 to 309. And McKinley Village
33 and Parks Highway milepost 216 to 239, that's within 20(A).
34 20(B) residents of Nenana, Minto, Manley Hot Springs. In Unit
35 20(C), residents of Lake Minchumina, Nenana, Minto, McKinley
36 Village, Manley Hot Springs and Parks Highway from milepost 216
37 to 239. It would, however, not provide customary and
38 traditional use for the communities of Anderson and Healy and
39 Tanana would also be excluded from customary and traditional,
40 well, I guess not excluded. What the analyst did, they also
41 reviewed other communities in the area that may possibly use
42 it. So they looked at Tanana at the same time and the hunting
43 areas from '68 to 1988 showed most of the use was in 20(F) and
44 21(C) and it didn't show Tanana harvest areas of caribou within
45 20(A), (B) or (C).

46

47 CHAIRMAN FLEENER: Do we have any questions for Bruce?
48 Philip.

49

MR. TITUS: How come there's nothing (indiscernible).

00293

1 CHAIRMAN FLEENER: The question was, how come the
2 Tanana people were excluded?

3
4 MR. GREENWOOD: Right now the Tanana people do not have
5 customary and traditional use in Unit 20(C).

6
7 CHAIRMAN FLEENER: John.

8
9 MR. STARR: But do the caribou come through here?

10
11 MR. GREENWOOD: Well, right now what the study
12 information shows is that Tanana has use in 20(F) and 21(C).
13 It doesn't show any harvest areas within 20(A), (B), (C), (D)
14 or (E). So that's just what the information shows. If the
15 people here can testify that they've actually used the Federal
16 public lands in Unit 20(C).....

17
18 CHAIRMAN FLEENER: Or this Council.

19
20 MR. GREENWOOD:or this Council exactly, too.

21 CHAIRMAN FLEENER: Okay, John do you want to address
22 that customary and traditional use of Unit 20(C) by residents
23 of Tanana?

24
25 MR. STARR: 20(C)'s on that side and that's the side I
26 was born on, over there. So you say I can't use that?

27
28 MR. GINNIS: Mr. Chairman?

29
30 CHAIRMAN FLEENER: Yes, Steve.

31
32 MR. GINNIS: Yeah, on this report, it clearly indicates
33 to me that ** says in 1987, 37 percent of Tanana households
34 used caribou while 12.1 percent of Tanana households obtained
35 caribou from other harvest efforts. So his question about
36 folks here not utilizing this area, this information is
37 correct, I mean it's written right here. Do you want me to
38 show it to you?

39
40 MR. GREENWOOD: Well.....

41
42 MR. GINNIS: You questioned whether the Tanana people
43 used that area or not and in this book it says 30 percent of
44 Tanana households use caribou.

45
46 MR. GREENWOOD: Yes, I'm aware of that. What the
47 analysis shows is that they use caribou, but all the
48 information that the analysis is based on indicates that they
49 have use of caribou in 20(E) and 20(F) and not 20(C). So when

50 these regulations were adopted from the State, the Tanana

00294

1 residents did not have c&t for caribou in the Unit 20(C). But
2 this can be amended at this time.

3

4 CHAIRMAN FLEENER: So you're saying that they used it
5 in 20(E), which is over on the Canadian border, but they didn't
6 use it in 20(C), which is 500 feet over there?

7

8 MR. GREENWOOD: It says here that Tanana caribou
9 hunting areas are within 20(F) and 21(C). So I made a mistake,
10 it's 20(F) and 21(C), which are the areas north of town. It
11 doesn't show 20(C) across the river.

12

13 CHAIRMAN FLEENER: Okay. I'm going to allow this
14 gentleman to give testimony. State your name first, please.

15

16 MR. NICHOLI: My name is Gerald Nicholi. And to what
17 you state, we have hunted caribou all over this area around
18 Tanana, customary and traditionally. I, myself, have known
19 people who have killed caribou on the south side of Tanana in
20 20(C) and I would like to propose to this board to Tanana to be
21 included in 20(C). Thank you.

22

23 CHAIRMAN FLEENER: Thank you. Is there anybody else?

24

25 MR. GINNIS: Mr. Chairman?

26

27 CHAIRMAN FLEENER: Yes, Steve.

28

29 MR. GINNIS: I would amend the proposal and this is a
30 motion to include Tanana in 20(C).

31

32 CHAIRMAN FLEENER: Okay. Are we -- the proposal that
33 we have would not -- I don't really know what the heck it would
34 do, there's too many -- there's the preliminary results and
35 then there's this thing here and then there's what we want to
36 add. Now, do we want to adopt their preliminary, except to
37 include Tanana or do we want to just include Tanana in this?

38

39 MR. GINNIS: No, my motion as it was stated, the
40 original motion, was to approve this proposal.

41

42 CHAIRMAN FLEENER: Yes.

43

44 MR. GINNIS: What proposal number, what's this now, 71?

45

46 CHAIRMAN FLEENER: Seventy-one, yes.

47

48 MR. GINNIS: And all I'm doing is making an amendment
49 to that proposal to include Tanana in 20(C).

00295

1 CHAIRMAN FLEENER: Okay. There's a motion on the
2 floor. Is there second?

3
4 MR. STARR: I'll second it.

5
6 CHAIRMAN FLEENER: There's a second. John Starr
7 seconds that. Discussion?

8
9 MR. GOOD: Question.

10
11 CHAIRMAN FLEENER: The question's been called on the
12 amendment to the motion.

13
14 MS. ROBERTS: I'd just like to state that the Tanana
15 people here have always.....

16
17 CHAIRMAN FLEENER: He'd like you to speak into the
18 microphone if you don't mind.

19
20 MS. ROBERTS: My name is Julie Roberts and I'd like to
21 go on record saying that the people of Tanana have always been
22 from the caribou clan. So that was how we lived through the
23 centuries.

24
25 CHAIRMAN FLEENER: Thank you. And I think the Council
26 is about ready to support that.

27
28 MR. GINNIS: We didn't.....

29
30 CHAIRMAN FLEENER: Oh, we didn't -- we haven't voted
31 yet. The question's been called. All in favor of the -- oh,
32 one more.

33
34 MS. ROBERTS: I'm Josephine Roberts from Tanana. Well,
35 if they're saying we don't eat caribou, well, they don't know
36 that we do. Every winter, we have our own solution doing it,
37 we go many miles so we'll just keep using that.

38
39 CHAIRMAN FLEENER: Thank you for that. I think they're
40 slowly being reinformed. Yes, Vince.

41
42 MR. MATHEWS: Mr. Chairman, maybe we could clarify
43 something here. This is why we have these meetings. This is
44 why we have a Regional Council. And this is why these are
45 draft analysis. We're just saying in our analysis, this is
46 what we could find, tell us what is right and what is wrong and
47 what needs to be added.

48
49 CHAIRMAN FLEENER: So in other words, don't club him

50 over the head, it's not necessarily his fault. He's just

00296

1 writing what he's finding and he's asking for more information.
2 So go ahead.

3
4 MS. PETERS: My name is Faith Peters. And I'm a Tanana
5 Tribal Council member, but I'm also -- I'm also a descendent of
6 the people of this area. We are traditionally food gatherers.
7 And when they put subsistence up there you limit our resources.
8 Because when you talk to us about our lifestyle, then you only
9 talk about food. But we have restrictions on our wood and our
10 water and we're the ones that control this area. We know all
11 about which animals are up there and which ones are down, what
12 fish come back, what fish don't come back. What birds are here
13 and what birds that don't come back because of migration.
14 You're talking about caribou now. My grandfather and them
15 traveled long ways for this. They respected this animal. But
16 since the pipeline was built we don't have no caribou in our
17 area. You guys got to listen to what these people are saying
18 up here because it's the truth. And paper and documentation,
19 if that's what you want then we'll give it to you. We'll have
20 to start writing stories and talking to elders about what has
21 to be written down for you people to pay attention to what
22 these men are saying. I sat here and I listened, I understand.

23
24 But this is -- this needs to be stated that you have to
25 go each village and you have to mark down what they wrote on
26 that map, their traditional hunting area. We have to protect
27 those areas, because what generation after us will have any
28 food.

29
30 CHAIRMAN FLEENER: Thank you. Now, where are we on
31 this motion? Where are we at? We're on discussion. Are we on
32 discussion of the amendment? Okay, this gentleman called the
33 question here, his name is Nat.

34
35 All in favor of the motion signify by saying aye.

36
37 IN UNISON: Aye.

38
39 CHAIRMAN FLEENER: All opposed same sign.

40
41 (No opposing votes)

42
43 CHAIRMAN FLEENER: Okay. Now, are we to the main
44 motion or was that the main motion, I kind of got lost?

45
46 MR. MATHEWS: That was your amendment.

47
48 CHAIRMAN FLEENER: To include Tanana?

49

MR. MATHEWS: Yes. I.....

00297

1 CHAIRMAN FLEENER: You guys are included. Terry has a
2 comment.

3
4 MR. GINNIS: I want to make an amendment to the
5 amendment.

6
7 MR. HAYNES: Mr. Chairman, I'm having a little trouble
8 following through this proposal.

9
10 CHAIRMAN FLEENER: Me too.

11
12 MR. HAYNES: one concern that I have is that the
13 proposal would conclude that Healy and Anderson would not have
14 a customary and traditional use in 20(C). What that would do,
15 I believe, and Hollis might want to correct me, there are
16 currently a couple of Healy residents who have a subsistence
17 permit to hunt in the park lands, not that they're hunting
18 caribou in there now. But if this proposal is adopted, they
19 would lose that opportunity in the future if Healy is found not
20 to have a customary and traditional use of caribou in 20(C).

21
22 CHAIRMAN FLEENER: You can just nod if that's true.

23
24 MR. TITUS: Terry, say we could create them people that
25 got c&t uses, but not the whole community is a c&t, because
26 they live in Healy that we give the rest of the Healy people
27 c&t just because two people live there.

28
29 CHAIRMAN FLEENER: Bruce.

30
31 MR. GREENWOOD: If I recall, the Subsistence Board last
32 year reviewed McKinley highway and the area along Parks High
33 from 216 to 239 and they also reviewed Healy and the Board last
34 year, based on the information presented made a decision that
35 Healy did not have customary and traditional use in Unit 20(C)
36 for caribou.

37
38 CHAIRMAN FLEENER: And Anderson, did they address it?

39
40 MR. GREENWOOD: Anderson was not reviewed last year.

41
42 CHAIRMAN FLEENER: All right. So the Federal
43 Subsistence Board has already made the determination that Healy
44 is not a customary and traditional community?

45
46 MR. GREENWOOD: Correct.

47
48 MR. STARR: Then what will they do when the caribou
49 starts going through their area?

00298

1 CHAIRMAN FLEENER: Poach. Okay, where are we Vince?

2
3 MR. MATHEWS: Shall we move on.

4
5 CHAIRMAN FLEENER: I think we still have a motion on,
6 the main motion is still on the table.

7
8 MR. GOOD: Mr. Chairman?

9
10 CHAIRMAN FLEENER: Yes.

11
12 MR. GOOD: I have a question for both Federal and
13 State. I'd like to hear more about the McComb herd, which is
14 not addressed by anybody so far?

15
16 CHAIRMAN FLEENER: Is that in 20(E)?

17
18 MR. GOOD: That's in 20(D), it's actually a State herd
19 on State land.

20 MR. HAYNES: Mr. Chairman, I was wondering in the
21 preliminary conclusion that was given -- if that was intended
22 to be in addition to what is in the proposal for Units 20(D),
23 (E) and (F) or if Units 20(D), (E) and (F) and Unit 25(D) were
24 not -- if the preliminary conclusion was not to do anything on
25 those parts of the unit?

26
27 MR. GREENWOOD: I believe that's correct at this point
28 in time.

29
30 MR. HAYNES: So the proposal addresses, as part of this
31 McComb caribou, but the preliminary conclusions from Staff does
32 not address those subunits where McComb caribou are?

33
34 CHAIRMAN FLEENER: So if we adopt the preliminary
35 conclusions, that would exclude the McComb herd; if we adopt
36 what's written here it would not exclude it; is that true
37 Bruce?

38
39 MR. GREENWOOD: See what it says here, changes to 20(F)
40 and (D) are not done in this cycle, will be addressed in the
41 next cycle. So could you restate your question again?

42
43 CHAIRMAN FLEENER: I don't know if I can. Terry can
44 answer it.

45
46 MR. HAYNES: That needs to be, I guess, very clear that
47 in the preliminary conclusion, if they're not addressing some
48 parts of this proposal at all, perhaps it would be useful just
49 for the preliminary conclusion to be clear on that so that

50 people aren't wondering if that was just left unaddressed.

00299

1 I know that doesn't answer the question that Nat
2 raised, but if that's not going to be addressed in this
3 proposal.....

4
5 MR. GOOD: Yeah, if that's left out, then it's out.
6 But my question -- well, basically we're Federal here and we
7 don't deal with State lands.

8
9 MR. HAYNES: Mr. Chairman, I think that is a question,
10 just how much Federal land is involved in the range of the
11 McComb caribou. That's kind of a separate issue.

12
13 CHAIRMAN FLEENER: Okay.

14
15 MR. GOOD: Yeah, that's what I was asking about.

16
17 CHAIRMAN FLEENER: Anymore discussion?

18
19 MR. STARR: Mr. Chairman?

20
21 CHAIRMAN FLEENER: Yes, John.

22
23 MR. STARR: I wasn't saying that -- what I was
24 referring is that in Kaltag down river. I don't know how many
25 years on caribou has been through their country and they said
26 they don't know where the caribou come from and now it's going
27 through there. So they just limit -- they said they went out
28 and told them, don't kill, I think their limit is two apiece
29 and that's what I was talking about. Because they say for
30 years and years they never had caribou down there, they don't
31 know where the caribou come from, now it's crossing there.

32
33 CHAIRMAN FLEENER: Thank you, John. Anymore
34 discussion?

35
36 MR. GINNIS: Mr. Chairman?

37
38 CHAIRMAN FLEENER: Yes.

39
40 MR. GINNIS: I guess I want to raise the same issue
41 that was just raised a little while ago about this Unit 20(D),
42 the residents of the Native Village of Dot Lake and Tanacross.

43
44 COURT REPORTER: Microphone.

45
46 MR. GINNIS: This doesn't mean -- if this is State
47 land, then why would it be included in this proposal? I mean
48 it's part of the proposed change because it says that here,
49 proposed regulation. The existing regulations above -- now,

50 when you look at the proposed regulation that this proposal is

00300

1 going to cover, it covers that 20(D) area, which is primarily
2 State lands, my understanding, and if part of the function of
3 this board is not to deal with State lands, then why would it
4 be included in there? I think in the motion that we made, this
5 unit is also included in this proposed change.

6
7 CHAIRMAN FLEENER: Aren't there a few ounces of Federal
8 land in 20(D), but just not much.

9
10 MR. MATHEWS: If I remember correctly on an earlier
11 proposal, we said there's less than two percent of the land in
12 20(D) is Federal land.

13
14 CHAIRMAN FLEENER: Yes.

15
16 MR. KNAUER: Mr. Chairman, the proposed regulation is
17 that presented by the originator.

18
19 CHAIRMAN FLEENER: Right.

20
21 MR. KNAUER: Not the Federal program or the Federal
22 government.

23
24 CHAIRMAN FLEENER: And this is Stevens Village?

25
26 MR. KNAUER: So anybody can propose anything, whether
27 it deals with State or Federal. It's just that the Board
28 would not deal with.....

29
30 CHAIRMAN FLEENER: And you don't weed the things out
31 that don't belong, so we get every proposal that comes through?

32
33 MR. KNAUER: Well, that pertains to the program.

34
35 CHAIRMAN FLEENER: Right, I understand.

36
37 MR. KNAUER: And if you'll notice in the -- right at
38 the start of the draft analysis, it indicated that changes to
39 Unit 20(F) and 20(D) -- excuse me and 25(D) were not going to
40 be addressed at this time. You're correct, it's not under the
41 preliminary conclusions, it's not clear what the recommendation
42 is for 20(D).

43
44 MR. GINNIS: So Mr. Chairman, maybe if there's no
45 objection from the representatives from that area sitting right
46 here, maybe it might be best to delete that section out of this
47 proposed regulation and it might be a little easier to get it
48 through the process.

49

CHAIRMAN FLEENER: Do we have that in the form of an

00301

1 amended motion?

2

3 MR. GOOD: Mr. Chairman?

4

5 CHAIRMAN FLEENER: Yes.

6

7 MR. GOOD: I move that we adopt the preliminary
8 conclusions -- or that we amend this to take -- to accept
9 instead, the preliminary conclusions with Tanana added as we
10 noted earlier. Does that make sense?

11

12 CHAIRMAN FLEENER: And what about the thing we were
13 just discussing on 20(D)?

14

15 MR. GOOD: 20(D) is left out of the preliminary
16 conclusion, so it's basically out, which is where it should be.

17

18 CHAIRMAN FLEENER: Okay. There's a motion on the
19 floor. Is there a second?

20

21 MR. MILLER: Second.

22

23 CHAIRMAN FLEENER: Second by Chuck.

24

25 MR. GINNIS: Mr. Chairman?

26

27 CHAIRMAN FLEENER: Discussion? Yes, Steve.

28

29 MR. GINNIS: Under discussion, I guess my concern there
30 is that just the fact that it's written on here, whoever reads
31 this might just assume that this proposed regulation that we're
32 discussing here would include this area if it remains in here.
33 I don't know if the preliminary justification or whatever you
34 want to call it addresses that, then I guess it might not be a
35 problem. But I'm just concerned that -- State land and areas
36 like that, then we have no jurisdiction over that.

37

38 CHAIRMAN FLEENER: I wonder what the possibility of the
39 future, if we could get copies of what amended proposals there
40 are, like the SRC's amendments, your preliminary -- but I mean
41 in this form, so we can take a look -- just flip through the
42 pages and see which one we like best. That might be a little
43 easier for us to read instead of -- because this is all
44 confusing. Do you understand what I'm getting at?

45

46 MR. GREENWOOD: Yes, I do.

47

48 CHAIRMAN FLEENER: Okay. Is there anymore discussion?

49

MR. MATHEWS: Mr. Chairman?

00302

1 CHAIRMAN FLEENER: Yes, Vince.

2

3 MR. MATHEWS: Maybe if we ask to stand down and meet
4 with you and Nat, we have amendment to amendment to another
5 amendment, I think.

6

7 CHAIRMAN FLEENER: We can't do that, um?

8

9 MR. MATHEWS: Well, we can do it, but it might be
10 easier to write one that's clear what you want and pass that
11 and then do it that way.

12

13 MR. GINNIS: It sounds like AFN, you know, amendment to
14 the amendment.

15

16 CHAIRMAN FLEENER: Well, let's ask the Council, do we
17 think this is the last one we're going to amend or are we going
18 to make more amendments? Because if this is the last
19 amendment, I don't think we need to stand down, we can just
20 amend this.

21

22 MR. GINNIS: You know, Mr. Chairman, I think it might
23 be easier to just withdraw the previous motions that have been
24 made and then.....

25

26 CHAIRMAN FLEENER: Step down for five minutes?

27

28 MR. GINNIS:reintroduce another motion.

29

30 CHAIRMAN FLEENER: Okay.

31

32 MR. GINNIS: I think that's the best way to handle it.
33 Otherwise we're going to be voting about three times here on
34 one issue, probably four.

35

36 CHAIRMAN FLEENER: Okay. Can we withdraw those without
37 any real problem, all the motions we've made dealing with
38 Proposal 71 so far?

39

40 MR. MATHEWS: If all the seconds and.....

41

42 MR. GINNIS: Did I make the motion?

43

44 CHAIRMAN FLEENER: Well, these three gentlemen right
45 here, have you any problem with removing all your motions and
46 seconds?

47

48 MR. GOOD: We're down.

49

CHAIRMAN FLEENER: Okay, they got no problem with that.

00303

1 All motions, all seconds and all the rest of it has been yanked
2 back. Let's stand down for five minutes.

3

4 (Off record)

5 (On record)

6

7 CHAIRMAN FLEENER: I'd like to call the meeting back to
8 order. We lost our quorum, I'm just kidding.

9

10 MR. GINNIS: Establish a quorum so the Chairman won't
11 be left up there alone.

12

13 CHAIRMAN FLEENER: Thank you. It will make the voting
14 real easy, I can hold an argument with myself pretty good
15 though, you know. Go ahead.

16

17 MR. GOOD: Mr. Chairman?

18 CHAIRMAN FLEENER: Yes.

19

20 MR. GOOD: I move that we adopt the preliminary
21 conclusions for Proposal 71 and that under Unit 20(C) we add it
22 to read the residents of Nenana, Minto and Tanana.

23

24 MR. GINNIS: Second the motion.

25

26 MR. GOOD: Second. Question.

27

28 CHAIRMAN FLEENER: Wait, don't call the question yet.
29 There's a motion, there's a second. Discussion? I just want
30 to make sure with these guys that it's -- that everything's
31 hunkydory. Vince.

32

33 MR. MATHEWS: Thank you, Mr. Chairman.

34

35 MR. GINNIS: We're on 71.

36

37 CHAIRMAN FLEENER: The Nenana, Minto part is the thing
38 you're concerned about probably. Look at those minds work.

39

40 MR. MATHEWS: Nenana, Minto is already in under Unit
41 20(C), I think you just wanted to add.....

42

43 CHAIRMAN FLEENER: Tanana.

44

45 MR. GINNIS: Yeah.

46

47 CHAIRMAN FLEENER: Let's go ahead and.....

48

49 COURT REPORTER: Microphone.

00304

1 MR. MATHEWS: Sorry Mr. Tape. You need -- I think he
2 means just to add Tanana, I hope.

3
4 CHAIRMAN FLEENER: Can we just make a motion to accept
5 the preliminary and add Tanana and that's it, no more.

6
7 MR. GREENWOOD: Tanana for 20(C), that's what he said.

8
9 CHAIRMAN FLEENER: Okay. Well, he said Minto, Nenana
10 and Tanana.

11
12 MR. GINNIS: Yeah, but those are already in the
13 proposal.

14
15 CHAIRMAN FLEENER: Okay, it's good then, um?

16
17 MR. GREENWOOD: Yeah.
18 CHAIRMAN FLEENER: Okay, anymore discussion on the
19 motion?

20
21 MR. MATHEWS: I need a second.

22
23 CHAIRMAN FLEENER: Didn't we get a second?

24
25 MR. GINNIS: What's the motion now?

26
27 MR. STARR: I'll second it.

28
29 CHAIRMAN FLEENER: Yeah, Steve seconded.

30
31 MR. GINNIS: Here.

32
33 CHAIRMAN FLEENER: We're discussing it and we wouldn't
34 be discussing it.

35
36 MR. GINNIS: So what is the motion?

37
38 CHAIRMAN FLEENER: The motion is to accept the
39 preliminary, whatever they call it and add Tanana --
40 preliminary conclusion, add Tanana.....

41
42 MR. MATHEWS: For 20(C).

43 CHAIRMAN FLEENER:for 20(C). You seconded that,
44 actually.

45
46 MR. GINNIS: I know, but there's too many people
47 talking at one time, I didn't know what the heck was going on.
48 I just -- it's just natural to say second.

49

CHAIRMAN FLEENER: Okay, anymore discussion?

00305

1 MR. GOOD: Question.

2

3 CHAIRMAN FLEENER: Question's been called. All in
4 favor of the motion signify by saying aye.

5

6 IN UNISON: Aye.

7

8 CHAIRMAN FLEENER: All opposed same sign.

9

10 (No opposing votes)

11

12 CHAIRMAN FLEENER: This young lady here has something
13 very important to say. State your name please.

14

15 MS. MCMATH: Christina McMath. I'm Alfred Starr, Sr.'s
16 granddaughter and I just have a small thing to say. I know you
17 guys are making -- this has been a long day and your mind is
18 turning to jello and stuff, but consider this, when you're
19 making these proposals, think about the generations down the
20 road. Think about seven generations from now, your great-
21 great-great grandkids are going to be out there. And I just
22 think this is hard because you're limiting yourself when you do
23 this and I don't know what's going to happen later on.

24

25 Thank you.

26

27 CHAIRMAN FLEENER: Thank you. Okay, Proposal 72, I
28 think. Are we going to Proposal 72?

29

30 MR. GREENWOOD: 73.

31

32 MR. MATHEWS: No, Mr. Chairman, I think it would be
33 best to go with Proposal 73.....

34

35 CHAIRMAN FLEENER: Okay.

36

37 MR. MATHEWS:which is dealing with wolves in Unit
38 20 and 25. It should be in your green book under Tab L, I
39 hope.

40

41 CHAIRMAN FLEENER: We're going to Proposal 73, it's in
42 the green book, Page 56.

43

44 MR. MATHEWS: Thank you. Why don't we just forgo
45 Roberts Rules of Orders and discuss this a little bit before we
46 start making lots of motions. I don't mind getting a little
47 bit out of order here because we've been out of order all day.
48 So let's discuss this a little bit before we make 15 motions
49 and amendments to motions and so on and so forth.....

00306

1 MR. MATHEWS: All right.

2
3 CHAIRMAN FLEENER:if the Council doesn't mind
4 that.

5
6 MR. MATHEWS: The only public comment that's been
7 received is from the State and the State can address that on
8 Proposal 73.

9
10 CHAIRMAN FLEENER: Okay, Bruce.

11
12 MR. GREENWOOD: Proposal 73 requests a positive
13 customary and traditional use determination for wolf in Unit
14 20(F) for the residents of Stevens Village. And the remainder
15 of 20(F) would retain the current determination. Unit 25(D)
16 for wolf was not analyzed and we deferred it to the next
17 regulatory cycle.

18
19 Again, this would be Stevens Village asking to have c&t
20 in their traditional use area. And if adopted the proposal
21 would substantially narrow the existing determination. The
22 effect would be to confirm existing positive determination for
23 certain local communities. And it might eliminate possible
24 determination for units as remote as Prince William Sound,
25 Unimak Island and other areas. The preliminary conclusions are
26 to modify the proposal to provide a positive determination for
27 Stevens Village, Tanana, Rampart and Manley.

28
29 CHAIRMAN FLEENER: You mean to tell me that Unimak
30 Island has a customary and traditional use determination for
31 hunting wolves in 25(D)?

32
33 MR. GREENWOOD: The present determination for wolf, I
34 believe -- I might need a correction by Bill, is pretty much
35 statewide.

36
37 MR. KNAUER: Yes, it is.

38
39 CHAIRMAN FLEENER: That must have been taken from State
40 regs.

41
42 MR. GREENWOOD: What this is doing is this would narrow
43 the determination down to just those residents who we.....

44
45 CHAIRMAN FLEENER: Stevens, Tanana, Rampart and Manley?

46
47 MR. GREENWOOD: Right. Who, based on our analysis
48 appear to have customary and traditional use of these areas.

49

CHAIRMAN FLEENER: Okay.

00307

1 MR. GREENWOOD: Just a moment, please. We have
2 evidence to show that Tanana and Stevens Village have
3 customarily and traditionally harvested wolves in Unit 20(F).
4 They appear to meet the eight factors sufficiently for positive
5 customary and traditional use determination for harvesting
6 wolves. There isn't any information regarding Rampart and
7 Manley however. These communities are similar to Stevens
8 Village. And Rampart, due to the proximity, we recommend that
9 they also be given customary and traditional use of wolf within
10 Unit 20(F).

11
12 There is little information for Livengood or Coldfoot.
13 And the Regional Council may want to consider those
14 communities, one or the other.

15
16 CHAIRMAN FLEENER: So are you saying the existing
17 regulation which includes rural residents of 6, 9, 10, 11
18 through 13, 16 through 26, it wouldn't be that anymore?

19
20 MR. GREENWOOD: Yeah, these units would be eliminated
21 for c&t after.....

22
23 CHAIRMAN FLEENER: Okay.

24
25 MR. GREENWOOD:if the preliminary conclusion was
26 accepted.

27
28 CHAIRMAN FLEENER: Then it would only include Stevens,
29 Tanana, Rampart and Manley for 20(F)?

30
31 MR. GREENWOOD: Correct.

32
33 CHAIRMAN FLEENER: What about Minto, which is in 20(F)?

34
35 MR. GREENWOOD: You could add Minto if you believe that
36 community customary and traditionally uses.....

37
38 CHAIRMAN FLEENER: I don't know if they do or not. I
39 just saw them in there. Terry. Is that all you have Bruce?

40
41 MR. GREENWOOD: Yes.

42
43 CHAIRMAN FLEENER: Okay, Terry.

44
45 MR. HAYNES: Mr. Chairman, just for clarification,
46 Minto is located in Unit 20(B) and not 20(F).

47
48 CHAIRMAN FLEENER: Oh, okay, thank you. I was looking
49 at the wrong line.

00308

1 MR. HAYNES: And for clarification, if I could, what
2 the preliminary conclusion is proposing is that Stevens
3 Village, Tanana, Rampart and Manley be found to have customary
4 and traditional uses in 20(F) and 25(D).

5
6 CHAIRMAN FLEENER: Yeah.

7
8 MR. HAYNES: We'll defer comments until the Federal
9 Board meeting. But that faction makes more sense to us than
10 what is proposed in the original proposal.

11
12 CHAIRMAN FLEENER: Okay. So the State and these guys
13 both agree, wow. Philip, do you got a comment?

14
15 MR. TITUS: You said they didn't have Minto at
16 customary and traditional use?

17
18 CHAIRMAN FLEENER: No, I made a mistake, Minto is.....

19
20 MR. TITUS: For the record, we definitely have
21 customary and traditional use on all subsistence resources in
22 the Minto Flats.

23
24 CHAIRMAN FLEENER: Bruce, did you hear that? I guess
25 not. Vince, go ahead.

26
27 MR. MATHEWS: Mr. Chairman, does everyone understand
28 that if the preliminary conclusion passed for 25(D), only
29 Stevens Village, Tanana, Rampart and Manley would qualify for
30 wolf hunting in 25(D)? Does Steven Ginnis.....

31
32 CHAIRMAN FLEENER: Okay, hold on.

33
34 MR. GINNIS: Mr. Chairman?

35
36 CHAIRMAN FLEENER: Yes.

37
38 MR. GINNIS: In regards to this Proposal 73, I would
39 like to amend this.

40
41 CHAIRMAN FLEENER: Well, we actually don't have
42 anything on the table yet.

43
44 MR. GINNIS: I know, but I'm just making a statement.

45
46 CHAIRMAN FLEENER: That's fine.

47
48 MR. GINNIS: I would amend this proposal to include all
49 residents in 25(D) and I'd like to have some reaction to that --

50 or some response from whomever.

00309

1 CHAIRMAN FLEENER: Bruce.

2

3 MR. GREENWOOD: 25(D) is not reviewed in this analysis.

4

5 MR. GINNIS: It is.

6

7 CHAIRMAN FLEENER: The existing regulation says rural
8 residents of -- or it says 25(D), 6, 9, 10, 11 through 13, 16
9 through 26 and you said that would be excluded only for the
10 residents of Stevens, Tanana, Rampart and Manley.

11

12 MR. GREENWOOD: Okay. What it says at the very
13 beginning, Unit 25(D), customary and traditional determination
14 for wolf was not analyzed and will be deferred to the next
15 regulatory cycle.

16

17 CHAIRMAN FLEENER: Okay.

18

19 MR. GINNIS: I'm not waiting for the next cycle, that's
20 why I made the motion. I mean that's why I'm suggesting that
21 the modification to this proposal.

22

23 CHAIRMAN FLEENER: We can do that.

24

25 MR. GREENWOOD: You can do that. I just don't have any
26 information.

27

28 CHAIRMAN FLEENER: Okay.

29

30 MR. GREENWOOD: You know, any information regarding
31 25(D).

32

33 CHAIRMAN FLEENER: Well, I think we can.....

34

35 MR. GREENWOOD: I welcome you to the country.

36

37 CHAIRMAN FLEENER: I think we can speak for the use of
38 wolves in 25(D) fairly well. There's a lot of dead wolves up
39 there.

40

41 MR. GREENWOOD: Mr. Chair?

42

43 CHAIRMAN FLEENER: Yes.

44

45 MR. GREENWOOD: Bill made a point, too, that the way
46 the preliminary conclusion is written would not do what we
47 really want it to do, nor what you would probably want it to
48 do. So you may want to.....

49

CHAIRMAN FLEENER: Do something else?

00310

1 MR. GREENWOOD: Yeah. I guess to modify.....

2

3 CHAIRMAN FLEENER: Well, what it sounded like what
4 Steve wanted to say was basically that all residents of 25(D)
5 and.....

6

7 MR. GINNIS: Mr. Chairman?

8

9 CHAIRMAN FLEENER:Tanana, Rampart and Manley --
10 yes.

11

12 MR. GINNIS: Yeah, that's -- that was going to be part
13 of my motion also whenever we get to it, was to include all
14 residents of 25(D) and also to provide a positive determination
15 for Stevens Village, Tanana, Rampart and Manley.

16

17 MR. GREENWOOD: Within 20(F)?

18

19 MR. GINNIS: Yeah.

20

21 CHAIRMAN FLEENER: Okay. Well, let's have a motion to
22 that effect then.

23

24 MR. GINNIS: Well, I'd like to know what Terry thinks
25 about my.....

26

27 MR. HAYNES: I think your proposal is even getting
28 closer to reality.

29

30 CHAIRMAN FLEENER: So you like it?

31

32 MR. GINNIS: Thank you, you like it. Okay, in that
33 case, Mr. Chairman, I'd like to move that we approve Proposal
34 73, with the following modification, that we include all
35 residents in Unit 25(D) and that the proposal also be modified
36 to provide a positive determination for Stevens Village,
37 Tanana, Rampart and Manley.

38

39 MR. GOOD: I'll second that.

40

41 CHAIRMAN FLEENER: For Units 25(D) and 20(F)?

42

43 MR. GINNIS: Yes. Is there some confusion here?

44

45 CHAIRMAN FLEENER: These guys look real confused.

46

47 MR. GINNIS: Okay. Now.....

48

49 CHAIRMAN FLEENER: We're looking at regulations

50 effecting Unit 20 (F) and 25 (D) .

00311

1 MR. GINNIS: See.....

2

3 CHAIRMAN FLEENER: So I think that's what the
4 motion.....

5

6 MR. GINNIS: Mr. Chairman?

7

8 CHAIRMAN FLEENER: Yes.

9

10 MR. GINNIS: The preliminary conclusion says to modify
11 the proposal to provide a positive determination for Stevens
12 Village, Tanana, Rampart and Manley and so that's what I'm
13 doing. I made a motion to modify this proposal to provide a
14 positive determination for these communities. And also to
15 modify the proposal to read to include Unit 25(D), all rural
16 residents.

17

18 CHAIRMAN FLEENER: There's a motion and a second by
19 Nat. Discussion? Go ahead.

20

21 MR. KNAUER: Yeah, Mr. Chairman, I'm a little unclear.
22 The preliminary conclusion starts out to be unclear, that's the
23 basic problem that we have.

24

25 CHAIRMAN FLEENER: Yes.

26

27 MR. KNAUER: It appears that what the preliminary
28 conclusion intended was to say, residents of 20(F), this is for
29 Unit 20(F); residents of 20(F) plus Stevens Village, Tanana,
30 Rampart and Manley. Now, it didn't -- it wasn't addressing
31 Unit 25, but the way I understand, Mr. Ginnis, was that he
32 would like it also to say, Unit 25, residents of 25 -- excuse
33 me, Units 25(D), residents of 25(D); is.....

34

35 MR. GINNIS: Right.

36

37 MR. KNAUER:that correct?

38

39 MR. GINNIS: Yes. I think it was on your side there
40 that somebody brought up the issue about 25(D), okay? And I
41 said, oh, yeah, wait a minute, let's include the residents of
42 25(D), so that's what I did.

43

44 MR. KNAUER: In Unit 20(F) or just in 25(D).

45

46 MR. GINNIS: 25(D).

47

48 MR. KNAUER: Okay, thank you, that's clear.

49

MR. GINNIS: Okay.

00312

1 MR. KNAUER: That was part of the problem with what the
2 State had, is they didn't make it clear when it got in.

3
4 MR. GINNIS: Okay, so 20(F) -- I'm just listing those
5 villages as it was printed here.

6
7 MR. KNAUER: Okay, right.

8
9 MR. GINNIS: I know we're just adding a couple other
10 villages to this list, so I'm just going from what's listed in
11 here, okay.

12 MR. KNAUER: Yes.

13
14 MR. GINNIS: So is that clear?

15
16 MR. GOOD: Yes.

17
18 MR. KNAUER: Right. What we have now is Mr. Ginnis'
19 proposal would be for Unit 20(F), residents of 20(F), plus
20 residents of Stevens Village, Tanana, Rampart and Manley.....

21
22 MR. GINNIS: Right.

23
24 MR. KNAUER:and for Unit 20(D), residents of Unit
25 25(D).

26
27 MR. GINNIS: There you got it.

28
29 CHAIRMAN FLEENER: Anymore discussion on the motion?

30
31 MR. GINNIS: Question.

32
33 CHAIRMAN FLEENER: Question's been called. All in
34 favor of the motion signify by saying aye.

35
36 IN UNISON: Aye.

37
38 CHAIRMAN FLEENER: All opposed same sign.

39
40 (No opposing votes)

41
42 CHAIRMAN FLEENER: Motion carries. Vince, next item up
43 for bid.

44
45 MR. MATHEWS: Okay. Our next proposal would be
46 Proposal 74, which is found in the back of your brown book.
47 And if we're still going without the motion, which is fine with
48 me, I'll just lay out what 74 does.

49

MR. GINNIS: What page please?

00313

1 CHAIRMAN FLEENER: Okay, that's Page 244 in the back of
2 your brown book.

3
4 MR. MATHEWS: Proposal 74 is to revise the c&t
5 determination for.....

6
7 MR. GINNIS: Excuse me, Mr. Chairman?

8
9 CHAIRMAN FLEENER: Yes.

10
11 MR. GINNIS: Did we overlook one other proposal here?
12 Was it, yeah, 59?

13
14 CHAIRMAN FLEENER: We're kind of jumping around.

15
16 MR. GINNIS: I'm sorry.

17
18 CHAIRMAN FLEENER: I'm letting Vince.....

19
20 MR. MATHEWS: Sorry.

21
22 MR. GINNIS: Wait a minute, I lost track, 71.....

23
24 MR. MATHEWS: Maybe it would be best to go to 59,
25 correct, I stand corrected.

26
27 CHAIRMAN FLEENER: Maybe you should put a checkmark by
28 all the ones you got done?

29
30 MR. MATHEWS: I've been checking everything.

31
32 MR. GINNIS: Proposal 59 and 74.

33
34 MR. MATHEWS: Okay, 59 and.....

35
36 CHAIRMAN FLEENER: 56.

37
38 MR. MATHEWS:56 will come up after we deal with
39 all the c&t.

40
41 MR. GINNIS: How come this stuff isn't all in one book?

42
43 CHAIRMAN FLEENER: That's okay, 59 is on Page 224 of
44 the brown book. Let us continue. Who wants to go next, Bruce?

45
46 MR. GREENWOOD: This proposal would replace an existing
47 no determination by providing a positive customary and
48 traditional use determination for all residents in Unit 24, in
49 Koyukuk, Galena, Tanana and Stevens Village. Anaktuvuk Pass

50 which is in the boundaries of Unit 24 and would be included

00314

1 under residents of Unit 24. In addition, this finding would
2 refer to caribou in Unit 24, but didn't specify the Western
3 Arctic herd.

4

5 CHAIRMAN FLEENER: Okay, you guys in your
6 preliminary.....

7

8 MR. GREENWOOD: Okay, the preliminary conclusion would
9 be, we recommend modifying the proposal. This would provide a
10 customary and traditional use determination for caribou for
11 residents of Unit 24, residents of Wiseman and Galena, but not
12 any residents along the Dalton Highway Corridor Management
13 area. With input from the Western Interior Regional Advisory
14 Council and from the Eastern Interior Regional Advisory Council,
15 Kobuk, Stevens Village, Koyukuk could also be added.

16

17 CHAIRMAN FLEENER: Would you name those communities off
18 again, those last ones?

19

20 MR. GREENWOOD: Kobuk, Stevens Village and Koyukuk.

21

22 MR. GINNIS: And Wiseman and Galena, right? Are
23 Wiseman and Galena included in this proposal, right?

24

25 MR. GREENWOOD: Yes.

26

27 CHAIRMAN FLEENER: But what he's saying is Kobuk,
28 Stevens and Koyukuk is not, we would have to speak favorably
29 for them.

30

31 MR. GINNIS: Mr. Chairman, I'll move to approve
32 Proposal 59 to include Kobuk, Stevens Village and Koyukuk.

33

34 CHAIRMAN FLEENER: There's a motion on the floor. Is
35 there a second.

36

37 MR. MILLER: Second.

38

39 CHAIRMAN FLEENER: Second by Chuck. Any further
40 discussion?

41

42 MR. GINNIS: The motion, Vince, for your information is
43 to approve Proposal 59 and to include Kobuk, Stevens Village
44 and Koyukuk.

45

46 CHAIRMAN FLEENER: Any further discussion?

47

48 MR. GOOD: Question.

49

CHAIRMAN FLEENER: Question's been called. All in

00315

1 favor of the motion signify by saying aye.

2

3 IN UNISON: Aye.

4

5 CHAIRMAN FLEENER: All opposed same sign.

6

7 (No opposing votes)

8

9 CHAIRMAN FLEENER: 59 is done.

10

11 MR. GINNIS: Which one is next?

12

13 MR. GREENWOOD: Okay, the next one would be 74.

14

15 CHAIRMAN FLEENER: 74. Is that all for the c&t's?

16

17 MR. MATHEWS: That's it for c&t's, unless I missed one.

18

19 CHAIRMAN FLEENER: Okay, 74 will be the final c&t. And
20 that's Page 244 of the brown book. Go ahead, Vince.

21

22 MR. MATHEWS: 74, I think we only have State, there's
23 no comments on Proposal 74 -- oh, wait a minute the State does
24 have a comment. And I gather% they've left.

25

26 CHAIRMAN FLEENER: I've got their -- he gave me this
27 thing here.

28

29 MR. MATHEWS: Okay, they've done an easy one for us,
30 their final comments have been deferred.

31

32 CHAIRMAN FLEENER: Yes, that's exactly what I've got
33 here. Bruce.

34

35 MR. GREENWOOD: Okay, this proposal -- I'm going to
36 just state how it effects this particular Regional Council.
37 Presently, the communities of Chalkyitsik, Ft. Yukon and
38 Venetie have.....

39

40 CHAIRMAN FLEENER: What was the first one? I don't
41 even know what he said.

42

43 MR. GREENWOOD: Chalkyitsik.

44

45 CHAIRMAN FLEENER: Chalkyitsik. That's okay, I just
46 didn't understand, go ahead.

47

48 MR. GREENWOOD: Ft. Yukon and Venetie presently have
49 c&t within Unit 26(C) for sheep. This proposal submitted by

50 the North Slope Regional Advisory Council recommends that they

00316

1 do not have -- they would not have c&t for sheep in Unit 26.

2

3 CHAIRMAN FLEENER: Do we know how this would negatively
4 effect the North Slope's hunting for these animals? What is --
5 the effected proposed change on subsistence use is -- there's
6 no explanation, so I'm wondering if you know what.....

7

8 MR. GREENWOOD: It doesn't have detailed explanation.
9 What they recommend is review accurately the c&t determination
10 for Unit 26 for the residents of Venetie, Ft. Yukon and
11 Chalkyitsik. The information in here I could read what it
12 says.

13

14 CHAIRMAN FLEENER: Is this information from the North
15 Slope group?

16

17 MR. GREENWOOD: This information is the staff analysis
18 information they've gathered.

19

20 CHAIRMAN FLEENER: Okay.

21

22 MR. GREENWOOD: There have been no sheep harvests
23 recorded for Ft. Yukon, Venetie or Chalkyitsik for the last
24 couple of decades. There is no evidence in the literature of
25 current sheep hunting for those same communities. It's unknown
26 if they've hunted sheep. There isn't evidence in literature of
27 current sheep hunting for those residents also and then it's
28 unknown what methods and means a harvest might be.

29

30 For the most part there is very little information
31 showing that. It does, however, cite historically for those
32 three communities that they have harvested sheep in Unit 26,
33 but there has been no usage of sheep in the recent decades.
34 This is based on our Staff analysis. I think this is one this
35 Regional Council may be able to add information that would
36 otherwise show different.

37

38 CHAIRMAN FLEENER: Timothy, you taking anybody up sheep
39 hunting up in your country lately?

40

41 MR. SAM: Not this year.

42

43 MR. GINNIS: So Mr. Chairman?

44

45 CHAIRMAN FLEENER: Yes, Steve.

46

47 MR. GINNIS: If I understand this proposal correctly,
48 Proposal 74 would include Chalkyitsik, Ft. Yukon and Venetie;
49 is that the proposal?

00317

1 MR. GOOD: Correct.

2

3 MR. GINNIS: And their rationale for that is there's no
4 historical use by those communities in that area; is that what
5 you said?

6

7 CHAIRMAN FLEENER: No recorded use. I wouldn't say no
8 historical use, but I would say no recorded use.

9

10 MR. GREENWOOD: It does -- the report, as I've read it,
11 does not articulate the reasons -- exactly the reasons why the
12 North Slope Council would like them eliminated. However, when
13 the person that wrote this went through -- they did come up
14 with the conclusion that historically sheep are harvested, but
15 they don't show any record of present day sheep harvest.

16

17 CHAIRMAN FLEENER: Philip.

18

19 MR. TITUS: Last night we just enacted action for sheep
20 hunting up there in Venetie or what Calvin asked last night.
21 That's a historic use right there.

22

23 CHAIRMAN FLEENER: I think that mostly addresses Arctic
24 Village use, this is the North Slope Borough trying to exclude
25 Ft. Yukon, which Calvin didn't really bring up; Ft. Yukon,
26 Chalkyitsik and Venetie.

27

28 MR. GREENWOOD: You may want to refer to your purple
29 book, page 149 and you could see where Unit 26(C) lies in
30 relationship to these communities.

31

32 CHAIRMAN FLEENER: Well, I sure can't say that I've
33 ever gone sheep hunting, but I know that relatives of mine have
34 gone up to Arctic Village and have gone sheep hunting with
35 friends and relatives up there.

36

37 MR. GINNIS: It's north.

38

39 CHAIRMAN FLEENER: Yes, I realize it's up over the
40 hill. But I do know that I've been told in the past when I was
41 in Arctic Village, that relatives of mine had gone up into 26
42 with people from Arctic Village. But that's the only thing I
43 can add. Steve, do you have anything to add to that about
44 people from Ft. Yukon, Chalkyitsik or Venetie hunting sheep up
45 in 26?

46

47 MR. GINNIS: Mr. Chairman?

48

49 CHAIRMAN FLEENER: Yes.

00318

1 MR. GINNIS: Well, I guess the way I look at this
2 proposal is that, I guess initially those communities were part
3 of this propo -- were initially allowed to hunt in that area.
4 And because of that, I think that just because people from our
5 region hasn't been up in that area doesn't necessarily mean
6 that we're not willing to use that area. And it comes to me as
7 a surprise that we could hunt in that area, in fact, as a
8 result of this. So I guess my -- I would suggest that we amend
9 this proposal to get these communities back into this proposal
10 here.

11 CHAIRMAN FLEENER: Well, if we just don't adopt this
12 proposal it will stay the same, right?

13
14 MR. GREENWOOD: Yes, you could reject the proposal and
15 it would remain the same.

16
17 CHAIRMAN FLEENER: Yeah, we could just reject this
18 proposal and things will stay as they are.

19
20 MR. GINNIS: But that's not going to address the
21 positive c&t determination for those communities if we just
22 reject the proposal totally.

23
24 CHAIRMAN FLEENER: I think there is a c&t determination
25 right here, it just says review it.

26
27 MR. GINNIS: If we reject the proposal, we go back to
28 the existing regulations, so it would be included.

29
30 CHAIRMAN FLEENER: Go ahead, Vince.

31
32 MR. MATHEWS: I think for diplomacy between regions and
33 user groups, I think you would say that you're only addressing
34 the concerns of Chalkyitsik, Ft. Yukon and Venetie, that you're
35 motion has nothing to do with Point Hope. But you're not
36 saying Point Hope should get it, that you're just talking about
37 the communities from your region. That would diplomatically
38 assist in saying you're not throwing out Point Hope.

39
40 CHAIRMAN FLEENER: So we wouldn't need anything other
41 than a note.....

42
43 MR. MATHEWS: Just a note saying that. That you're
44 rejecting the proposal, but you have no comment on Point Hope.
45 Your rejection should be reflective of.....

46
47 CHAIRMAN FLEENER: Removing Chalkyitsik, Ft. Yukon and
48 Venetie?

49

MR. MATHEWS: Right.

00319

1 CHAIRMAN FLEENER: So what we should say is we reject
2 the proposal because of Chalkyitsik, Ft. Yukon and Venetie?

3
4 MR. MATHEWS: And no comment on Point Hope.

5
6 CHAIRMAN FLEENER: Is there a motion to that effect?

7
8 MR. MILLER: So moved.

9
10 CHAIRMAN FLEENER: Charles Miller so moved. Is there a
11 second?

12
13 MR. GOOD: Second.

14
15 MR. GINNIS: Now, Mr. Chairman.....

16
17 CHAIRMAN FLEENER: There's been a second. Discussion?

18
19 MR. GINNIS:I.....

20
21 CHAIRMAN FLEENER: Yes, Steve.

22
23 MR. GINNIS:don't know what would be the result
24 of passing this motion, I mean what would be the result of it?
25 I'm not talking about Point Hope, I'm talking about those
26 communities that they're excluding under this proposal.

27
28 MR. MATHEWS: Then that would reflect in the record
29 then if you're the moving of the motion. That's all I needed
30 to know, is that you're not commenting on Point Hope, so North
31 Slope.....

32
33 MR. GINNIS: They're already -- yeah, Vince, they're
34 already in here.

35
36 MR. MATHEWS: No, they're not. They're proposed to be
37 added.

38
39 MR. GINNIS: Oh, okay. I'm only addressing those
40 communities that are -- that this proposal is attempting to
41 remove.

42
43 CHAIRMAN FLEENER: Exclude.

44
45 MR. MATHEWS: Okay, it's clear, thank you.

46
47 CHAIRMAN FLEENER: Any further discussion.

48
49 MR. MILLER: Question.

00320

1 CHAIRMAN FLEENER: Question's been called by Chuck.
2 All in favor of the motion signify by saying aye.

3
4 IN UNISON: Aye.

5
6 CHAIRMAN FLEENER: All opposed same sign.

7
8 (No opposing votes)

9
10 CHAIRMAN FLEENER: Motion passes unanimously.

11
12 MR. MATHEWS: Proposal 56.

13
14 CHAIRMAN FLEENER: Number 56, 56 is on Page 205 of the
15 brown book. Do you need a few minutes break? Let's take a
16 three minute break while these guys setup.

17
18 (Off record)

19 (On record)

20
21 CHAIRMAN FLEENER: Okay, let's call the meeting back to
22 order. We're going to put this airboat proposal off for a few
23 minutes so more community members can come and we're going to
24 address the next proposal, which is 72.

25
26 MR. GINNIS: We did 72, didn't we? Pardon me?

27
28 CHAIRMAN FLEENER: No, this is the moose season around
29 Eagle.

30
31 MR. GINNIS: What page is it?

32
33 CHAIRMAN FLEENER: We did 27.

34
35 MR. GINNIS: What page?

36
37 CHAIRMAN FLEENER: I don't know.

38
39 MR. DEMATTEO: Mr. Chair, you'll find 72 located in the
40 green book on Page 51 of Section L.

41
42 CHAIRMAN FLEENER: The green book, 61, Section L.

43
44 MR. DEMATTEO: Fifty-one.

45
46 CHAIRMAN FLEENER: Fifty-one, Section L. Okay, we're
47 going to wait and hold off on making any motions on this until
48 we get a good clear explanation if that's okay with the rest of
49 the Council? Go ahead, Pete. Page 51, Tab L, yes.

00321

1 MR. DEMATTEO: Pete DeMatteo, with the Office of
2 Subsistence Management for the Eastern and Western Interior.
3 Mr. Chair, Proposal 72 is submitted by the Eagle Fish and Game
4 Advisory Committee and proposes to expand the current fall
5 moose season for Game Management Units 20(E) and a portion of
6 25(B). With the intent to increase opportunity for local
7 residents of Unit 20(E) during the fall moose season.

8
9 The committee's concern lies in that local hunters of
10 20(E) are having to compete with non-unit hunters for a limited
11 number of moose. Currently a no determination for moose exists
12 for these areas. And as a result of this, all rural residents
13 are qualified to hunt moose on Federal public lands in both
14 subunits. Consequently the proposed earlier season opening
15 fails to meet the intent of the proposal in creating a season
16 for local hunters only.

17
18 I'd like to draw your attention to Page 51 of Section L
19 in the green book again. At the top of the page you'll see the
20 existing regulation for moose for Unit 20(E). Now, for a point
21 of clarification, Unit 20(E) if you'll look on your map and
22 also what's projected on the screen here, 20(E) is referring to
23 the area outlined in green and the area to the north of there
24 is 20(E) remainder. And the area to the east of there is the
25 portion of 25(B) as stated in the proposal. The existing
26 regulation for 20(E) is September 1st through September 15th.
27 Whereas, the proposal requests August 20th through September
28 15th. Because of unaligned seasons, the State season already
29 exists from the 20th to the 28th.

30
31 CHAIRMAN FLEENER: September?

32
33 MR. DEMATTEO: August 20th through the 28th, pardon me.
34 We believe at the time of submission of this proposal, the
35 proponent, the Eagle Fish and Game Advisory Committee probably
36 was not aware that the State season began on the 20th, so
37 therefore, this proposal fails to meet the intent of providing
38 the local only subsistence hunt.

39
40 CHAIRMAN FLEENER: Do you think it would fail to meet
41 that considering it goes past the State's, because they're
42 going to be allowed time to harvest after the State hunters are
43 gone, the rest of the State hunters, I should say?

44
45 MR. DEMATTEO: Correct. The season does go beyond the
46 28th. One problem there is, then you have a Federal only
47 season and other problems are -- other problems arise, in that,
48 it places a great deal of burden upon the hunter on the ground
49 in having to determine where the Federal boundaries start and

50 stop.

00322

1 The same thing occurs for remainder of Unit 20(E),
2 that's the area outlined on the map on the screen in purple.
3 The existing season is September 5th through the 30th. The
4 originator requested August 20th through September 30th. The
5 State season beings on the 20th and ends on the 28th of August,
6 however, the Federal season would continue thereon in the same
7 situation exists where you have a Federal only season.

8
9 CHAIRMAN FLEENER: So was the intent of this for them
10 to exclude all hunting except for the residents of Eagle?
11 Because it doesn't seem like there's any other way of doing it.

12
13 MR. DEMATTEO: Currently there's a no determination for
14 moose for this area, so it wouldn't exclude any rural residents
15 from going up there and partaking in the hunt. I believe that
16 the intent behind the proposal was to create a subsistence
17 season only for people of Eagle and maybe Chicken.

18
19 CHAIRMAN FLEENER: But that would still only be on
20 Federal land and they would have that same problem that we
21 talked about earlier?

22
23 MR. DEMATTEO: Exactly. As I stated, the proposal
24 fails to accomplish it's objectives in creating a local only
25 fall moose season in 20(E) since the State season is already
26 open on August 20.

27
28 With that in mind our Staff conclusion is one of a
29 conservative approach. We recommend that the Federal seasons
30 be aligned with that of the opening dates of the State season
31 for game management in Unit 20(E). And if you look again on
32 51, what we propose is that for Unit 20(E), the season open on
33 August 20th through the 28th, one bull with a spike-fork antler
34 restriction. And this would hopefully eliminate some confusion
35 for the hunter on the ground who would have to make a
36 determination in a Federal only season of where the Federal
37 boundaries start and stop.

38
39 CHAIRMAN FLEENER: It doesn't seem to me that the
40 proposal wouldn't accomplish the purpose because they are going
41 to be getting a local only moose season. It's just going to be
42 a little bit confusing. So if their intent was to have a local
43 only season, they're going to get it with this proposal, it
44 will just be complicated by the fact that you've got to find
45 out where the lines are.

46
47 So actually their request for a local only season would
48 be met by this proposal. Because they wanted from August 20th
49 to September 30th?

00323

1 MR. DEMATTEO: December 15th.

2

3 CHAIRMAN FLEENER: Right, but the State will close
4 August 29th, so August 29th -- September, whenever.

5

6 UNIDENTIFIED VOICE: Right. But they reopen September
7 1st, don't they, the 15th?

8

9 CHAIRMAN FLEENER: Who, the State?

10

11 UNIDENTIFIED VOICE: For any bull.

12

13 CHAIRMAN FLEENER: Oh, okay, um.

14

15 MR. DEMATTEO: For Unit 20(E), Mr. Chair, the State
16 season reopens on September 1st through the 15th. So the
17 Federal only season would be August 29, 30 and 31.

18

19 CHAIRMAN FLEENER: Oh, I see.

20

21 MR. DEMATTEO: I believe it was the originator's
22 intention that the local only season was to occur beginning on
23 the 20th.

24

25 CHAIRMAN FLEENER: And has the originator been notified
26 of this and have they had any plans of withdrawing this
27 proposal?

28

29 MR. DEMATTEO: No, Mr. Chair, I apologize for that. I
30 joined this outfit 11 days ago and I have not had ample
31 opportunity to get with the proponent. What we propose is that
32 we align the opening seasons with that of the State to avoid
33 confusion for the upcoming year. And that this Staff get with
34 the Eagle Fish and Game Advisory Committee and draft another
35 proposal for next year, that would more clearly identify the
36 intent of the proposal and the concerns of the advisory
37 committee.

38

39 CHAIRMAN FLEENER: Okay, thanks, Pete.

40

41 MR. GINNIS: Mr. Chairman?

42

43 CHAIRMAN FLEENER: Yes, Steve.

44

45 MR. GINNIS: You know, the way I understand this
46 proposal, is that what the Eagle Fish and Game Advisory
47 Committee is proposing here, I think is just an opportunity for
48 the hunting season to open up a little earlier. And I don't
49 know if that meets the objective of what the proposal is trying

50 to address by saying, well, let's just open it up the same time

00324

1 the State does their -- open up their hunting season. I don't
2 know if it addresses that.

3

4 I can understand where these people are coming from.
5 So I think if we want to protect the interests of our
6 subsistence users in that area, it might be wise to follow the
7 recommendation of opening the season early so they have an
8 opportunity to get their moose.

9 CHAIRMAN FLEENER: Right. But I think their
10 recommendation is open it from September 1st through 15th,
11 which is already open, so it's already going to be open. They
12 just didn't understand that it was going to be open, I guess.

13

14 MR. GINNIS: But this thing says August 30th or August
15 20th.....

16

17 CHAIRMAN FLEENER: Right. And that's when these
18 guys.....

19

20 MR. GINNIS:September 15th.

21

22 CHAIRMAN FLEENER: That's when they want to open it up.
23 But that's not what the intent of the proposal was, the
24 original proposal. That's what they want to do, just open it
25 and align it with the State, which will give them a long
26 season. Go ahead, Nat.

27

28 MR. GOOD: You know, what you're -- the other
29 complicating factor is is you drive up that Taylor Highway and
30 that's their basic means of access there and it's a wild river
31 system in there. And every time you approach a stream you get
32 -- I'm not sure exactly what the measurement is, but if we use
33 the example, say half a mile before the stream there's a sign
34 that says, entering Federal Wildlife Management Area, you get
35 on the other side of the stream, you go that same distance,
36 leaving Federal land and so it becomes very complicated. Once
37 you move -- you got the road for a marker, but once you move
38 upstream or downstream from there, you don't really know
39 whether you're on State or Federal land. And so you've got
40 people who may find themselves sitting in court someplace just
41 because they really didn't know where they were when they shot
42 something.

43

44 CHAIRMAN FLEENER: So are you suggesting that we go
45 with the preliminary findings?

46

47 MR. GOOD: I think that's probably the best thing to do
48 right there. You don't want to put a whole lot of people in
49 court by trying to help them out.

00325

1 CHAIRMAN FLEENER: And this is going to give them a
2 generous season anyways, more than what they have now. Yes,
3 Vince.

4
5 MR. MATHEWS: Mr. Chairman, they already qualify for
6 that season under State regs. Our regulations are more
7 restrictive now than State. So this would just make it all
8 align and they would have the same benefit under Federal. We
9 would meet with them and talk about other options which we
10 haven't figured out what other options there are.

11
12 MR. GINNIS: Mr. Chairman?

13
14 CHAIRMAN FLEENER: Yes.

15
16 MR. GINNIS: Yeah, but I don't know.....

17
18 COURT REPORTER: Microphone.

19
20 MR. GINNIS: I don't know if that addresses the issue
21 of these folks getting out to hunt earlier. You know, that's
22 the whole issue here is that they want to have the opportunity
23 to have a hunting season that's open earlier than the State or
24 whomever. Well, that's what it says here.

25
26 CHAIRMAN FLEENER: Not earlier, but a separate hunt.

27
28 MR. MATHEWS: The season.....

29
30 MR. GINNIS: A separate hunt or whatever you want to
31 call it. I think that's what the issue is.

32
33 MR. MATHEWS:is the same, August 20th.

34
35 MR. MILLER: Mr. Chair?

36
37 CHAIRMAN FLEENER: Yes.

38
39 MR. MILLER: Let me try and clarify this a little bit.
40 When they open that early season, when the State did, they
41 opened it up for spike-fork, which is a young bull, small bull
42 and the main reason for that was to try and keep these horn
43 hunters, you know, the people that go up there hunting strictly
44 for a rack, just try to keep that down, so that people that
45 hunt for meat will actually be able to go out and get the meat.
46 Now, if the Federal regulation articulated the same thing, have
47 the same hunt, the same time and have the same stipulation,
48 spike-fork only, I think that would kind of clarify it a little
49 bit. Because you won't get all the traffic you normally get up

50 there, of the people hunting horns.

00326

1 MR. GOOD: Mr. Chairman?

2

3 CHAIRMAN FLEENER: Um-hum. (Affirmative)

4

5 MR. GOOD: But at the same time if they're able on
6 Federal -- well, I don't know, I was going to say, if they
7 could shoot any bull, but they still again have the problem of,
8 are they on State or are they on Federal land?

9

10 CHAIRMAN FLEENER: With different seasons?

11

12 MR. GOOD: Yeah, well, even with the same season, if
13 you -- the early season, they shoot a large bull on Federal, it
14 makes not difference, but it makes a real difference if they're
15 on Federal -- or on State.

16

17 CHAIRMAN FLEENER: So what are we going to do, Pete?

18

19 MR. DEMATTEO: Well, to address what Steven said, was
20 that it is our intention to get with the Eagle Fish and Game
21 Advisory Committee to explore exactly what it is they want. Me
22 being new to this proposal, I understand they want an earlier
23 season all to their own. But not being totally familiar with
24 that part of the country, I have to see exactly when they want
25 to do this. And I don't want to throw a date out on the table
26 just for the sake of doing that, I would like to get with them
27 and see if they are talking about the 15th, 18th, the 20th or
28 what. Because obviously they selected the 20th in good faith
29 thinking that they would have that period all to themselves,
30 without realizing that the State season is already open.

31

32 MR. GINNIS: Right.

33

34 MR. DEMATTEO: So to do them the best service I
35 possibly can, I would like to get with them first. But in the
36 meantime, I would like to provide a Federal season for them
37 that eliminates a lot of the confusion that's already on the
38 books between the State and Federal season.

39

40 MR. GINNIS: So then, I guess, if this proposal is
41 passed by this board and goes on through the process, that
42 regulation change would take effect when and how long? I mean
43 like you said, it's clear to me that what they're looking for
44 is a hunting time that doesn't interfere with the State's
45 hunting season, that it would give them an opportunity to
46 harvest their moose. And it's pretty clear to me from what I
47 read here that the moose population in that area isn't very
48 healthy, so if we're going to give the priority to those
49 subsistence users in that area, then you know for your solution

50 to this, it's just a temporary -- what do you want to call it,

00327

1 solution to it. So we're still not addressing the real
2 question here of opening the season earlier than the 20th. So
3 I don't know you're going -- since you haven't had the
4 opportunity to communicate with them. I don't know if it's
5 appropriate for us to actually take any kind of action here,
6 you know. And at the same time though, I hate to defer it and
7 put them right back where they left off.

8 CHAIRMAN FLEENER: Well, they were the ones that
9 requested the 20th; is that correct?

10
11 MR. DEMATTEO: That is correct.

12
13 CHAIRMAN FLEENER: So we could pass this proposal
14 knowing that that's what they wanted with him going back saying
15 you're not going to get it any earlier, but it is at least the
16 proposal that they wanted passed. We wouldn't be meeting the
17 intended need, but we would be meeting the need of the
18 proposal.

19
20 MR. GINNIS: I understand. But it'll come back at us
21 again. I can assure you of that.

22
23 CHAIRMAN FLEENER: So is there any action on this
24 proposal by the Council?

25
26 MR. GOOD: Mr. Chairman?

27
28 CHAIRMAN FLEENER: Yes.

29
30 MR. GOOD: I propose that we adopt the preliminary
31 conclusions. I move that we do so.

32
33 CHAIRMAN FLEENER: Okay. There's a motion on the
34 floor, is there a second?

35
36 MR. MILLER: Second.

37
38 CHAIRMAN FLEENER: Chuck second. Any further
39 discussions? All in favor of the motion signify by saying aye.

40
41 IN UNISON: Aye.

42
43 CHAIRMAN FLEENER: All opposed same sign.

44
45 (No opposing votes)

46
47 CHAIRMAN FLEENER: Motion carries. Has everyone been
48 sufficiently notified or telephone calls for the air boat?
49 Okay, we'll go ahead and move on to that then. And is this in

50 the green book or the brown book?

00328

1 MR. MATHEWS: The green book, Page 1, Tab L.

2
3 CHAIRMAN FLEENER: Green book, Page 1 of Tab L.

4
5 MR. TITUS: That's what?

6
7 CHAIRMAN FLEENER: Proposal 56. Go ahead, Vince.

8
9 MR. MATHEWS: Mr. Chairman, I think to make this go
10 along well, I think we should have Gerald Nicholi up at the
11 table because this is their proposal and we'll go from there.

12
13 CHAIRMAN FLEENER: Okay, Gerald go ahead. Do you want
14 to give us background or shall we let.....

15
16 MR. MATHEWS: Sure.

17
18 CHAIRMAN FLEENER: Okay. Go ahead, Vince.

19
20 MR. MATHEWS: Mr. Chairman, I need to -- unless you
21 have it in front of you, I would assume the State of Alaska had
22 a comment on this. I have no other comments.

23
24 CHAIRMAN FLEENER: Do you want to.....

25
26 MR. MATHEWS: Sure. I can do it or you can do it.

27
28 CHAIRMAN FLEENER: Okay. I'll read the State's
29 official comments here. Proposal 56, use of air boats in the
30 Tanana area. The State does not support. Their reason is the
31 Federal Subsistence Board does not have authority to adopt this
32 proposal. There is very little Federal land located in the
33 area proposed for closure and the Board does not have authority
34 over State lands or waters. This proposal also involves access
35 considerations that are beyond the Board's authority.

36
37 Go ahead, Vince.

38
39 MR. MATHEWS: That's it, now it's Pete.

40
41 CHAIRMAN FLEENER: Okay, Pete.

42
43 MR. DEMATTEO: Mr. Chair, this proposal was submitted
44 by the Tanana Tribal Council, which proposes that the Federal
45 Subsistence Board create a special controlled use area that
46 would prohibit the use of air boats within its service area.
47 With the intent to protect waterfowl habitat and to prohibit
48 the use of air boats for moose hunting or to transport moose or
49 moose hunting equipment. The use of air boats on national

50 wildlife refuge is prohibited by law except on established

00329

1 roads and parking areas. Only a small portion of Federal land
2 exists within the proposed controlled use area and I'd like to
3 focus your attention to the map. The area that I'm referring
4 to is where Bill is pointing to, which is part of the Nowitna
5 National Wildlife Refuge which is adjacent to the south bank of
6 the Yukon River. The proposed controlled use area, I'd like
7 you to focus your attention to the yellow line on your map and
8 it looks like the black smudge on the projection screen there.
9 That is not the proposed controlled use area. The proposed
10 controlled use area are the drainages that run into that yellow
11 line. That yellow corridor, air boats, as the proposal states
12 would be allowed to pass through there on their way to points
13 elsewhere. However, they would be denied access into the
14 drainages that flow into that yellow corridor on your map.

15
16 Supportive action by the Federal Board would lack the
17 ability to regulate air boat traffic outside of Federal
18 boundaries. In view of this, the Staff recommendation is to
19 defer action pending further consultation with the State. And
20 we suggest the tribal council submit a similar proposal to the
21 Alaska Board of Game.

22
23 CHAIRMAN FLEENER: Thanks, Pete. Have you guys
24 submitted a proposal to the Alaska Board of Game?

25
26 MR. NICHOLI: You got the proposal that I proposed and
27 the Council that's proposed and in front of you to the Alaska
28 State Board of Game.

29
30 CHAIRMAN FLEENER: Okay.

31
32 MR. TITUS: I got a question?

33
34 CHAIRMAN FLEENER: Go ahead Phil.

35
36 MR. TITUS: I got a question for.....

37
38 CHAIRMAN FLEENER: Pete.

39
40 MR. TITUS: What if this Federal takeover on navigable
41 waters, then they'll have jurisdiction, right?

42
43 MR. DEMATTEO: I think I'll defer that to Bill Knauer.
44 No, it is not.

45
46 MR. KNAUER: This area that's not colored is not within
47 a conservation system unit, so it would not be part of the
48 waters in which there is a Federal interest. In other words,
49 it would not be part of the expanded Federal jurisdiction. It

50 would still remain under State jurisdiction.

00330

1 MR. TITUS: Even if they took over navigable waters?

2
3 MR. KNAUER: That's correct.

4
5 MR. MATHEWS: It would only take over -- this is
6 preparation when we get into navigable. It's only -- these
7 areas that are colored in this color that there would be
8 jurisdiction over with this Federal program if we did get
9 navigable water. This is BLM lands and I'm almost positive
10 they are not -- would not -- those waters and they would not
11 fall underneath this program. So is that clear? What he was
12 saying is the white area within all this black, we would not
13 have jurisdiction on, all we would have jurisdiction on if the
14 moratorium was lifted and action -- would be this bits and
15 pieces of the Nowitna National Wildlife Refuge. And then any
16 Native allotments that have not gone to title. And I don't
17 know where it will be in this area.

18
19 MR. NICHOLI: Sir, I'd like to mention something that
20 there's a lot of Native allotments that I put in there that --
21 in that Cos-Jacket it's 45 miles up the Tanana River and in the
22 State proposal that I wrote up, it includes our Native
23 allotments around that area up to the Yukon and it includes our
24 Native allotments all the way down river and towards Nowitna,
25 that's where.

26
27 CHAIRMAN FLEENER: Did you want to make a comment?

28
29 MS. ROBERTS: Yeah. I think we need support from this
30 board for this proposal, it's a starting point for us. And I
31 think it would help if we had the support from this Council to
32 go to the State with another proposal requesting, you know,
33 approval of this.

34
35 CHAIRMAN FLEENER: Well, I think you've already got our
36 support because apparently on this, the authors is your council
37 and the Eastern Interior Regional Council. So we co-authored
38 this together apparently.

39
40 MS. ROBERTS: Okay. Even if it's just.....

41
42 MR. GINNIS: Mr. Chair?

43
44 MS. ROBERTS:for a little portion, you know, we
45 still would like to have the support of this Council, even if
46 it's just for that little portion that's stating that, you
47 know, that it would be prohibited.

48
49 CHAIRMAN FLEENER: Steve.

00331

1 MR. GINNIS: Mr. Chairman, I think what would be
2 appropriate here is to reaffirm our support of Tanana's request
3 to ban air boats from this region. I also think that the
4 motion should also be made to -- how do you say it, I'm at a
5 loss at words here.

6 MS. ROBERTS: Recommend.

7
8 MR. GINNIS: Help develop the -- assist in helping
9 develop the proposal itself. I think that's what I'm trying to
10 say.

11
12 CHAIRMAN FLEENER: For the State?

13
14 MR. GINNIS: For the State Game Board -- for the State
15 Game Board to review.

16
17 CHAIRMAN FLEENER: Yeah. I think we should reaffirm
18 our support by -- if nothing else, by letter, we can direct
19 Vince to undergo that task of reaffirming the Council's support
20 for Tanana. I don't know about this proposal, what does the
21 Council wish to do with this? We do have this little bit of
22 Federal land and I suppose we can adopt this proposal, at least
23 on this Federal land that exists. Any comments?

24
25 MR. GINNIS: Yes.

26
27 CHAIRMAN FLEENER: Steve.

28
29 MR. GINNIS: Vince, I guess I'd like to get back to the
30 question of, you know, helping to draft some sort of a proposal
31 for this. Is there anyway that your Staff can assist these
32 folks here in developing a proposal? I know we've done that
33 before regarding game. Even though it's out of our -- out of
34 this jurisdiction of the Council here.

35
36 MR. DEMATTEO: Absolutely Steven. Our Staff could
37 provide the technical assistance needed to draft a proposal on
38 behalf of the Tanana Tribal Council to the Alaska Board of
39 Game. I'd also like to mention an option that this Council
40 has, that you could write a letter in support to the Board of
41 Game.

42
43 CHAIRMAN FLEENER: Well, I guess apparently Gerald said
44 that they've already developed a proposal, haven't you?

45
46 MR. NICHOLI: Yeah. It's the one you're looking at
47 right in front of you that I handed it out.

48
49 CHAIRMAN FLEENER: Well, actually I'm not looking at

50 it. This is our proposal, the Federal proposal, I don't know

00332

1 where the State one is.

2

3 MR. NICHOLI: The papers I handed out is a draft to the
4 State Board of Game.

5

6 CHAIRMAN FLEENER: Somebody swiped my copy.

7

8 MR. MATHEWS: Mr. Chairman, in the past you have
9 submitted -- your action before was to support their original
10 proposal. The strongest way you did that was to put in a
11 parallel proposal.

12

13 CHAIRMAN FLEENER: Um-hum. (Affirmative)

14

15 MR. MATHEWS: So on the Federal side you can go forward
16 and say you adopt this proposal and recommend its adoption.

17

18 CHAIRMAN FLEENER: Okay.

19

20 MR. MATHEWS: The second thing you could do is adopt,
21 which there's not a call for proposals before us in the Board
22 of Game, and put in a proposal to the Board of Game similarly
23 that what you did with the Beaver situation up in 25.

24

25 CHAIRMAN FLEENER: That sounds good. We can submit a
26 concurrent proposal with Tanana's proposal. What are you guys
27 whispering about there, we want to know?

28

29 MR. MATHEWS: I think Bill needs to explain this.

30

31 CHAIRMAN FLEENER: Go ahead, Bill.

32

33 MR. KNAUER: Yes, Mr. Chairman. I totally agree that
34 the strongest action this Council could take would be a letter
35 of support to the Board of Game. From a Federal standpoint,
36 this proposal was moot. This proposal is moot because on
37 national wildlife refuges, air boats are prohibited already and
38 if it's on the navigable water through the refuge, that's not
39 within the control of the refuge, that's within the control of
40 the State so it takes the action by the Board of Game.

41

42 Now, things could change if the Federal government
43 assumes jurisdiction over waters, but if so then it would be
44 appropriate to take action at that time.

45

46 CHAIRMAN FLEENER: At least bare minimum, we should
47 submit a letter reaffirming our support for Tanana's proposal
48 to the Board of Game. What does the Council recommend that we
49 do with this proposal since apparently it's not going to be

50 valid since it's already illegal to have air boats on Federal

00333

1 lands. Yes?

2

3 MS. ROBERTS: But then just to support, you know,
4 stating that even though it is prohibited on Federal lands, we
5 support the prohibition on State lands, you know, if possible.

6 CHAIRMAN FLEENER: Right. That's what we'll do.

7

8 MS. ROBERTS: Yes.

9

10 CHAIRMAN FLEENER: We're talking about submitting a
11 letter.....

12

13 MS. ROBERTS: Yes.

14

15 CHAIRMAN FLEENER:backing you and also possibly
16 submitting a concurrent proposal.

17

18 MS. ROBERTS: Um-hum. (Affirmative)

19

20 CHAIRMAN FLEENER: That's we discussed? No, I mean to
21 the Board of Game to change their regulations.

22

23 MR. MILLER: Yeah, I don't see no problem with that.

24

25 CHAIRMAN FLEENER: Okay. Do we need a motion to that
26 effect?

27

28 MR. GINNIS: Yeah.

29

30 CHAIRMAN FLEENER: Steve.

31

32 MR. GINNIS: I will move to reaffirm the Eastern
33 Regional Council's support on banning air boats in Unit -- what
34 is it 20(F)?

35

36 MR. NICHOLI: It's 20(F), 20(C) and 21(B) within.....

37

38 MR. GINNIS: Okay. Reaffirm our support in 20(C),
39 20(F) and 21(B). Also that we provide a support letter to the
40 Game Board and to provide the technical assistance to the
41 Tanana Village Tribe to develop a concurrent proposal.

42

43 CHAIRMAN FLEENER: Okay. There's a motion on the
44 floor. Philip?

45

46 MR. TITUS: With the motion, I want to amend the motion
47 to include the actions we took -- our proposal to the State
48 that we want to ban air boats region wide in the Eastern
49 Interior if that's all right with Steve?

00334

1 MR. GINNIS: Well, Philip, I think that this issue came
2 before us in Stevens Village, I believe. That's when John
3 brought the issue to us. We affirm --w e took action to
4 support their proposal and I'll I'm doing here is I know it's
5 an issue regional wide, but we're talking more specifically to
6 Tanana right now. And all I'm saying is that the motion was
7 reaffirmed, that our support of banning air boats in these
8 units and also to write a letter to support from the Council
9 here to the Game Board and also to provide technical assistance
10 to develop the concurrent proposal.

11
12 CHAIRMAN FLEENER: Okay. There's a motion on the
13 floor. Is there a second?

14
15 MR. GOOD: Second.

16
17 CHAIRMAN FLEENER: Seconded by Nat. Any further
18 discussion? No more discussion.

19
20 MR. GOOD: Question.

21
22 CHAIRMAN FLEENER: Question's been called by Nat. All
23 in favor of the motion signify by saying aye.

24
25 IN UNISON: Aye.

26
27 CHAIRMAN FLEENER: All opposed same sign.

28
29 (No opposing votes)

30
31 CHAIRMAN FLEENER: Motion carries. Thank you. Now
32 what are we going to do.

33
34 MR. MATHEWS: I just need a point of clarification
35 then?

36
37 CHAIRMAN FLEENER: Go ahead, Vince.

38
39 MR. MATHEWS: On the Federal proposal then, it's going
40 to go forward, that you moved to adopt it?

41
42 CHAIRMAN FLEENER: We took no action on that.

43
44 MR. GINNIS: No, we did not.....

45
46 CHAIRMAN FLEENER: Our proposal was to give technical
47 support.

48
49 MR. MATHEWS: No action then on the Federal proposal,

50 okay.

00335

1 CHAIRMAN FLEENER: Let's take a five minute break,
2 please.

3
4 (Off record)
5 (On record)
6

7 CHAIRMAN FLEENER: I would like to call the meeting
8 back to order please. Are we on Letter D now, Vince? Letter D
9 on the agenda, presentations?

10
11 MR. MATHEWS: Ted feels more comfortable -- well, let's
12 just go that way because Doyon could go fast.

13
14 MR. GINNIS: We're done with proposals?
15

16 MR. MATHEWS: We are done with proposals -- let me --
17 we're being flipit here, I apologize. Is there any other
18 public that's present here that would like to testify on any of
19 the proposals that were in the 1997/98 proposal book? Okay.
20 If there are none, we have addressed, to the best of my
21 knowledge, all the proposals that effect this region, so we're
22 done.

23
24 CHAIRMAN FLEENER: Thank you, Vince. Ted, the show is
25 yours.

26
27 MR. HEUER: Okay, Mr. Chairman. Do we need to get the
28 lights, can you all see that all right?

29
30 At several of the recent Regional Advisory Council
31 meetings the issue of wolf control has come up, as you guys
32 well know. Our regional office developed this slide show to
33 address some of the questions that have come up about predator
34 control upon national wildlife refuges. This show has kind of
35 two objectives, I guess. The first one is to just provide a
36 little general background how natural wildlife refuges in
37 Alaska are managed. And, too, it talks about the decision
38 making process that a refuge manager has to go through before
39 he allows some action on a national wildlife refuge like wolf
40 control.

41
42 I didn't write this script so I'm going to have to see
43 if I can get some light here.

44
45 CHAIRMAN FLEENER: There should be some light on the
46 back of that.

47
48 MR. HEUER: Okay. Moose are one of the most important
49 subsistence animals in much of Alaska. And moose hunting

50 occurs on almost all 16 of the national wildlife refuges in the

00336

1 State. Some of the people who depend on moose for food are
2 subsistence hunters and non-subsistence hunters are concerned
3 that too many moose are being killed by wolves and wolf control
4 is being discussed as a possible way to improve hunting in some
5 places. There are many agencies that manage fish and wildlife
6 resources on the public lands in Alaska, including the National
7 Park Service, Fish and Wildlife Service, Bureau of Land
8 Management, the Forest Service and the Alaska Department of
9 Fish and Game and tribal governments. It is our hope that this
10 slide show will tell you a little bit about the significance of
11 Alaska's national wildlife refuges to all Americans and to help
12 you better understand our approach to resource and people
13 management. In addition we would like to familiarize you with
14 the process refuge managers use to make management decisions
15 such as whether or not to allow wolf control on refuge lands.

16
17 The national wildlife refuge system consists of over
18 500 national wildlife refuges scattered across the United
19 States and there's at least one in every state now. They're
20 managed by the Fish and Wildlife Service, preserve a national
21 network of lands and waters for the conservation and management
22 of fish, wildlife and plants for the benefit of present and
23 future generations.

24
25 The first national wildlife refuges in Alaska were
26 established in the early 1900s to protect nesting seabirds. In
27 1980, ANILCA expanded seven existing refuges and created nine
28 new refuges. It also established new purposes, rules and
29 guidance for all of the refuges in Alaska. ANILCA requires
30 that we ensure customary and traditional access and uses and
31 that we provide rural residency opportunity to engage in
32 traditional subsistence activities.

33
34 The 16 national wildlife refuges in Alaska vary from a
35 little over 300,000 acres, Izembeck, down on the Alaska
36 Peninsula to almost 20 million acres, both the Arctic Refuge
37 and the Yukon-Delta Refuge. Alaska refuges from a national
38 perspective are unique in both their large size and the fact
39 that they typically contain entire healthy ecosystems.

40
41 In comparison, the refuges in the Lower 48 are for the
42 most part, pockets of critical habitat that must be managed
43 intensively to make up for habitat that has been lost to
44 development.

45
46 ANILCA gave each of the Alaska refuges at least four
47 purposes.

48
49 The first and primary purpose of all Alaska refuges is

50 to conserve fish and wildlife populations and habitats in their

00337

1 natural diversity. We cannot allow anything or any use on a
2 refuge that has a negative effect on this purpose. This
3 requires us to know a lot about fish and wildlife resources of
4 refuge.

5 Refuge employees are continually learning about fish
6 and wildlife populations from biological studies and surveys
7 and from local residents.

8
9 Subsistence regional advisory councils are a good way
10 for us to obtain information from local residents and for local
11 residents to have a significant meaningful role in refuge
12 management and decision making.

13
14 In addition to animal populations, refuge employees are
15 learning about habitats because the quality of the habitat
16 directly effects animal populations. Once again, local
17 knowledge and historical perspective provided by local
18 residents can help us interpret our data.

19
20 The second refuge purpose of all refuges in Alaska is
21 to help fulfill international treaty obligations of the United
22 States with respect to fish and wildlife and their habitats.

23
24 The United States has signed international treaties
25 concerning migratory birds with Canada, Mexico, Russia and
26 Japan. There are also international treaties concerning
27 protection and conservation of endangered species, polar bears
28 and salmon.

29
30 The third refuge purpose is to provide the opportunity
31 for continued subsistence uses by local residents. With the
32 exception of the Kenai Refuge, every Alaska refugee has this as
33 one of its purpose.

34
35 Again, refuge employees learn from local residents what
36 subsistence uses are important in the local areas, when, where,
37 and how they have taken place and what may be needed to
38 maintain customary and traditional uses of each refuge.

39
40 The fourth refuge purpose is to ensure water quality
41 and necessary water quantity within the refuge.

42
43 Fish and Wildlife Service hydrologists and biologists
44 are documenting in-stream flows and lake levels on many refuges
45 to help determine water levels needed to maintain natural
46 diversity.

47
48 The third and fourth refuge purpose is providing
49 opportunities for subsistence and maintaining water quality and

50 water quantity must be consistent with the first and primary

00338

1 purpose of all refuges which is conserving fish and wildlife
2 populations and habitats in their natural diversity.

3
4 These four purposes guide managers in determining what
5 uses and how much of each use should be allowed on a refuge.

6
7 Title VIII of ANILCA further details the obligation of
8 Federal agencies for continuing subsistence uses on all Federal
9 public lands. But the law also says that subsistence use must
10 be consistent with sound scientific management principals and
11 the refuge purposes we just reviewed. ANILCA also clearly
12 states that subsistence uses will have priority over other
13 consumptive uses. For example, should it become necessary to
14 reduce harvest levels to maintain healthy populations of an
15 animal, then we would limit sport hunting opportunities or
16 sport fishing opportunities prior to limiting subsistence
17 opportunities.

18
19 Refuges are used by many people. People from all over
20 the world visit the national wildlife refuges in Alaska. Some
21 take fish and wildlife, others do not. Some uses impact
22 habitat, others do not.

23
24 One of the refuge manager's most important jobs is to
25 ensure that what happens on a refuge does not negatively affect
26 or interfere with our responsibility to conserve fish and
27 wildlife resources. By law, we must ensure that the impacts of
28 human use are not harmful or contrary to the purposes for which
29 the refuge was established. The process which guides the
30 manager in these decisions is called the compatibility
31 determination.

32
33 When a new use or activity is proposed, the refuge
34 manager must decide if it can be allowed on the refuge. The
35 first step is to decide if it's legal or consistent with laws,
36 regulations and policies governing the management of the
37 refuge. Then a compatibility determination is done to analyze
38 the impacts of the proposed use in relation to the purposes of
39 the refuge. These decisions are documented in writing.

40
41 There's been a growing interest expressed by local
42 residents about wolf control on some national wildlife refuges
43 in Alaska.

44
45 The Service was involved in wolf control in Alaska in
46 the 1950s and some of you may remember this.

47
48 Since that time the legal and social climate regarding
49 wolf control has changed considerably. To consider wolf

50 control on a national wildlife refuge today, managers would

00339

1 need to go through a lengthy process and consider a number of
2 legal and ecological issues.

3

4 We have to look at the ecosystem as a whole. We must
5 consider habitat conditions, other predators and other prey,
6 climatic factors and human factors.

7

8 We would need to know that moose and/or other prey
9 populations are at unhealthy levels. And if so, then we would
10 need to determine that wolf predation is causing the low
11 numbers and not some other ecological or human factor. We need
12 to consider the status of other predators, such as bears or
13 perhaps declining habitat quality is causing nutritional stress
14 resulting in high winter mortality and low reproduction; or
15 there may be excessive human harvest.

16

17 We would need to determine whether wolf control would
18 be effective. There is no long-term benefit in wolf control if
19 habitat conditions will not allow growth of the moose
20 population.

21

22 We would need to consider other management alternatives
23 to wolf control, such as liberalizing wolf hunting and trapping
24 seasons, reducing harvest pressure on moose or moose habitat
25 improvement.

26

27 We would need to do a compatibility determination to
28 make sure that a wolf control program would be consistent with
29 refuge purposes.

30

31 We would need to make sure that wolf control would be
32 consistent with the goals and objectives of State and refuge
33 management plans.

34

35 We would have to satisfy the requirements of the
36 National Environmental Policy Act which would probably require
37 an environmental impact statement and extensive public comment.
38 There is a high likelihood that both administrative and legal
39 challenges would occur which would stop the process for many
40 years.

41

42 We also need to evaluate how a wolf control program
43 would affect subsistence uses and needs. Section 810 of ANILCA
44 requires us to make the subsistence evaluation.

45

46 These are the main issues the Service must consider
47 prior to starting a wolf control on a national wildlife refuge.

48

49 The situation is much different now than it was in the

50 1950s. A decision to begin a wolf control program on a

00340

1 national wildlife refuge cannot be made easily or quickly. It
2 is certain that any proposed wolf control on a national
3 wildlife refuge would be very controversial. I'm sure you're
4 aware of the bitter and widespread objections the State
5 encountered as they attempted to do wolf control on State
6 lands. We could expect a lot more controversy and legal
7 challenges if wolf control were proposed on a refuge.

8
9 Our job is to manage Alaska's national wildlife refuges
10 for all people and their children and for future generations.

11
12 And that's pretty much it. I'd be glad to answer any
13 questions that you might have about that presentation or
14 predator control.

15
16 CHAIRMAN FLEENER: Primarily it sounded like it would
17 take a long, long time for us to get something like this
18 approved. What sort of time frame are you looking at? I know
19 your EIS would take a year to two years probably?

20
21 MR. HEUER: Yeah. EIS usually takes anywhere from a
22 year and a half to two years. And like I said in the slide
23 presentation, you know, we could expect legal challenges and
24 administration challenges. You know, we're talking years, not
25 much.

26
27 CHAIRMAN FLEENER: So could we possibly think about
28 something easier, like liberalizing wolf season and changing
29 possible methods of wolf take.

30
31 MR. HEUER: I think that's a very realistic option and
32 a lot easier to sell to the public. It doesn't have the same
33 connotation as wolf control, you know.

34
35 CHAIRMAN FLEENER: Is there any other questions for
36 Ted? John.

37
38 MR. STARR: How about those bounty hunters they're
39 talking about. Do you think that will ever go through?

40
41 MR. HEUER: I don't think the Fish and Wildlife Service
42 would ever put a bounty on wolves. If State were to put a
43 bounty on wolves, I suppose it would apply to national wildlife
44 refuges as long as, you know, in general, State laws apply on
45 national wildlife refuges unless we, you know, pass some
46 regulation that overrides them. Even that, you know, it'd be
47 very controversial, we'd get thousands of letters from outside.
48 I don't know, I don't know how it would come out. I'm not very
49 optimistic.

00341

1 MR. STARR: Well, I think they're -- like the Governor,
2 I think he's, you know, they drop that word, control, because
3 the pressure from outside. They were just talking about the
4 tourism. It wouldn't hurt us around here, it might hurt the
5 big cities, but it wouldn't hurt us around here. Then on
6 account of that, it seemed like he dropped it because he said
7 they was going to boycott the tourism from coming in.

8
9 CHAIRMAN FLEENER: Anymore questions for Ted? No more
10 questions, how about we move on to the briefing of the proposal
11 on oil and gas development Ted.

12
13 MR. HEUER: Okay. I'll keep this real short. I think
14 Randy requested this. Just to give you some real brief
15 background. Doyon came into the Fish and Wildlife Service
16 almost two years ago with a proposal to exchange some oil and
17 gas rights on refuge lands on the Yukon Flats in exchange for
18 some conservation protection measures on some of their land.
19 And we had some serious legal questions about the proposal.
20 Basically wrote a letter to our regional solicitor asking those
21 legal questions and right now we're still waiting for a
22 response. So we're -- the latest is we had kind of an informal
23 meeting with the solicitor's office and they're expecting to
24 get something to us in writing soon and maybe we could have
25 more information for you at the next meeting.

26
27 CHAIRMAN FLEENER: So is there no oil and gas
28 development allowed on national wildlife refuges?

29
30 MR. HEUER: Right. And that's one thing I would like
31 to mention. As far as the Yukon Flats, the comprehensive
32 conservation plan doesn't allow any oil and gas development.,
33 So before we could allow any we would have to amend the
34 comprehensive conservation plan and there'd be a lot of
35 opportunity for public input as well as Regional Councils and
36 whoever wanted to comment on it.

37
38 CHAIRMAN FLEENER: Okay. Are there any questions for
39 Ted? No questions.

40
41 MR. GINNIS: The only thing I'd like to say is if you
42 could kind of keep us informed of what's going on with that
43 proposal, you know, I think this is about the first time I
44 heard about it. It's very interesting and I'd like to know
45 more about it. I don't want to take time up here, but I would
46 like to see statistically the areas that you're talking about,
47 land exchanged.

48
49 MR. HEUER: Okay. I'd be glad to talk to you after

50 about that.

00342

1 CHAIRMAN FLEENER: Do you think you could provide us
2 with, not now, but send us a letter and maybe a picture or
3 something of the location?

4 MR. HEUER: I think I can. Let me check with Doyon.

5
6 CHAIRMAN FLEENER: Okay.

7
8 MR. HEUER: You know, it's their proposal. I want to
9 make sure they don't have any problems releasing it, but I
10 think so.

11
12 CHAIRMAN FLEENER: Okay. All right, anymore questions
13 for Ted? Okay, thank you, Ted. Next item, other new business.
14 No new business? Okay, good. Yes.

15
16 MR. GOOD: Mr. Chairman?

17
18 CHAIRMAN FLEENER: Yes.

19
20 MR. GOOD: I have just one item to distribute to the
21 members and if you could look it over, this is a proposal that
22 I've written that we'll be considering next fall. But I wanted
23 to give you advance notice of it that's all.

24
25 CHAIRMAN FLEENER: Okay. Go ahead and hand that out.
26 Let's discuss future meetings plans, time and place of next
27 meeting. Does anybody have a suggestion? I suggested Canyon
28 Village, but Vince didn't like that.

29
30 MR. MILLER: I propose we have it in Dot Lake, in the
31 Interior.

32
33 CHAIRMAN FLEENER: Dot Lake, how does that sit with
34 everyone? It's good.

35
36 MR. GINNIS: Mr. Chairman?

37
38 CHAIRMAN FLEENER: Yes.

39
40 MR. GINNIS: I guess I would like to -- I guess at this
41 next meeting, if I have my facts right we're going to be
42 talking about some proposed fishery regulations or something to
43 do with fisheries; is that.....

44
45 CHAIRMAN FLEENER: Is that so, Vince?

46
47 MR. MATHEWS: It's possible with -- we don't know what
48 Congress will do with the next budget round on any type of
49 moratorium. So fisheries will still potentially be a large

50 topic at your fall meeting.

00343

1 CHAIRMAN FLEENER: But you still probably wouldn't have
2 had enough funding to have gotten very far with it?

3 MR. KNAUER: Mr. Chairman, we will be more than happy
4 to provide you an update at that time based on any knowledge
5 that we have. I can't say anymore because I don't know what
6 the status will be.

7
8 CHAIRMAN FLEENER: Boy that's a real bureaucratic way
9 of saying, we don't know.

10
11 MR. KNAUER: We'll be glad to tell you whatever we
12 know.

13
14 CHAIRMAN FLEENER: Okay, thanks, Bill.

15
16 MR. GINNIS: I have no objection to having the meeting
17 in Dot Lake. But if the issue is going to have to do with
18 fisheries, I would prefer to have a meeting along the river
19 somewhere on the Yukon, if that's the issue that's going to be
20 brought before us. And I think it's important -- as far as I'm
21 concerned, it's important for me to hear from the people along
22 the Yukon that rely on this resource.

23
24 CHAIRMAN FLEENER: Well, do the people in Dot Lake,
25 which is on the Tanana, isn't it? Aren't they relying on
26 salmon also or is that too far up there?

27
28 MR. MILLER: Okay, that's fine. Maybe we can leave it
29 with Dot Lake until we find out if we're going to have
30 substantial fisheries information. Is that okay, Charles?

31
32 MR. MILLER: That's fine.

33
34 MR. GINNIS: So in that case, Mr. Chairman, I'll move
35 to have our next meeting in Dot Lake.

36
37 CHAIRMAN FLEENER: There's a motion on the floor, is
38 there a second?

39
40 MR. GOOD: Second.

41
42 CHAIRMAN FLEENER: Second by Nat. Any further
43 discussion?

44
45 MR. TITUS: Question.

46
47 CHAIRMAN FLEENER: Okay. Question, Philip.

48
49 MR. TITUS: We got to pick an alternate site if we're

50 dealing with fish issues, right?

00344

1 CHAIRMAN FLEENER: Yeah. Maybe we should choose an
2 alternate site just in case we do have fisheries issues.

3
4 MR. GINNIS: Have we ever had a meeting in Beaver?

5
6 CHAIRMAN FLEENER: We never had a meeting in Beaver,
7 no.

8
9 MR. GINNIS: Or Stevens Village? Oh, we just had a
10 meeting in Stevens Village. Or Rampart.

11
12 CHAIRMAN FLEENER: Rampart.

13
14 MR. GINNIS: There you go.

15
16 CHAIRMAN FLEENER: That'd be a good one.

17
18 MR. GINNIS: Yeah, Rampart would be a good one.

19
20 MR. STARR: You got to ask somebody from Rampart.

21
22 CHAIRMAN FLEENER: Yeah. We have to ask someone from
23 Rampart, but we can have that as a backup until we get -- we
24 find out from the community members if that's okay. I don't
25 know if they want this many people there or not.

26
27 MR. STARR: That sounds good for alternate.

28
29 CHAIRMAN FLEENER: Okay. We'll have that if that's
30 okay. Can we add that into your motion?

31
32 MR. GINNIS: No, I think it should just be reflected
33 here that.....

34
35 CHAIRMAN FLEENER: Okay.

36
37 MR. GINNIS:an alternate would be Rampart.

38
39 CHAIRMAN FLEENER: Okay. Any discussion on that
40 motion? Should we discuss a time, is there a certain time
41 period?

42
43 MR. MATHEWS: Yes. In your book under Tab A there's a
44 calendar showing you when the open time is for meetings, which
45 is September 8th through October 24th. And as we've done in
46 the past, you would look at it and tell us what week might be
47 better for you or if you know particular dates only.

48
49 CHAIRMAN FLEENER: It better not be in the end of

50 September, I'm going to be out in the woods.

00345

1 MR. TITUS: Freeze-up.

2

3 CHAIRMAN FLEENER: Yeah, October some time.

4

5 MR. MATHEWS: I do need some dates because we don't
6 want to overlap our dates -- we don't want to overlap with
7 other Councils.

8

9 CHAIRMAN FLEENER: How about starting it on October
10 13th, Black Monday -- I mean Columbus Day.

11

12 MR. TITUS: Black Monday.

13

14 MR. GINNIS: That's when you guys celebrate your day
15 off?

16

17 CHAIRMAN FLEENER: Oh, you guys have a holiday then,
18 um? We work extra hard that day.

19

20 MR. MATHEWS: No, that's fine. Let me make it clear
21 for the record, you're saying that you could meet sometime
22 during the week of the 13th through the 17th?

23

24 CHAIRMAN FLEENER: Is that okay with the Council?

25

26 MR. MATHEWS: Okay. And then most likely, based on
27 what we did at this meeting, we would need to have a two and a
28 half day meeting with a half day preparation session?

29

30 CHAIRMAN FLEENER: Um-hum. (Affirmative)

31

32 MR. MATHEWS: I need one more head nod down there.
33 That would be a two and a half day meeting with a half day
34 preparation session?

35

36 MR. GINNIS: Well, I'm sure glad you've come to your
37 senses, yes.

38

39 CHAIRMAN FLEENER: Okay. We have a motion on the floor
40 and we have a second. Is there any further discussion?

41

42 MR. GINNIS: On?

43

44 CHAIRMAN FLEENER: On the motion for the meeting place
45 we have -- we're in discussion on that.

46

47 MR. GOOD: Question.

48

49 CHAIRMAN FLEENER: Question's been called. All in

50 favor of the motion signify by saying aye.

00346

1 IN UNISON: Aye.

2

3 CHAIRMAN FLEENER: All opposed same sign.

4

5 (No opposing votes)

6

7 CHAIRMAN FLEENER: Motion passes unanimously. What's
8 left?

9

10 CHAIRMAN FLEENER: Just closing comments by an elder or
11 Council member. I think we should probably -- yeah, let each
12 Council member make a closing comment and we'll start with
13 John.

14

15 MR. STARR: Well, like I said this is my last meeting.
16 And I'd like to see -- show you people what kind of meeting it
17 is. And there's a lot of issues here, so I'd like to see some
18 young guys and I'm real, real proud of him. He just got in
19 there and took the Chair, Craig did and he's doing a good job
20 of it.

21

22 CHAIRMAN FLEENER: Still scared.

23

24 MR. STARR: This is going to be an ongoing thing and I
25 think the young people's got to get on this and I'd like to see
26 some younger people from here get on this board, from Tanana.
27 And like I said it's my last meeting. You get to go places and
28 friends in different villages and like I said, there's quite a
29 bit to learn on here and there's -- and I'm glad we had it in
30 Tanana.

31

32 CHAIRMAN FLEENER: Thank you, John. Timothy, do you
33 have any closing remarks.

34

35 MR. SAM: This is my third meeting and we have problems
36 of all kinds. And we don't really solve all the problem, but
37 we're keep trying for our kids in the future, so they'll have
38 to rely on something.

39

40 CHAIRMAN FLEENER: Thank you, Timothy. Philip.

41

42 MR. TITUS: I'd like to thank the people of Tanana for
43 letting us have our meeting here. I hope you guys got some
44 valuable information out of this. And I would encourage you to
45 keep an eye on the subsistence issues because it effects your
46 daily lives. And give us your input, give us how you feel
47 because sitting up here like we were talking about them guys up
48 the highway in -- and this guy say c&t -- c&t, papers don't --
49 they got no subsistence rights for those resources when -- when

50 they've been living off that resource for centuries and it's

00347

1 not written down. If it's not written down the Federal
2 government don't figure it exists. The only thing they know is
3 what they write down in books. And I would encourage you guys
4 to just keep an eye on it. And thanks again for all your
5 hospitality and good food and nice weather even though we
6 hardly saw the weather.

7
8 CHAIRMAN FLEENER: Nat.

9
10 MR. GOOD: I, too, would like to thank the community
11 for their gracious hospitality and the care they took of us.
12 You people are wonderful. I would like to think we've laid the
13 ground rules or done the groundwork here for making Tanana a
14 resident zone community for Denali National Park. And I'm
15 hoping in the future you will be hunting there and I wish you
16 good hunting.

17
18 CHAIRMAN FLEENER: Charles.

19
20 MR. MILLER: Yeah. First of all I'd like to also thank
21 Tanana for letting us have the meeting up here. And I'm glad
22 to see all the students that were here yesterday and so much
23 community involvement. This is a very important issue and I'm
24 glad that there's more people getting involved in it.

25
26 MR. GINNIS: I also would like to thank the people of
27 Tanana for their hospitality. I would like to thank Judy Woods
28 for putting up with me for these last few days, she's a very
29 good person to, you know, camp with over there. The other
30 thing I wanted to say was that one of the things that's been
31 very frustrating serving on this Council and it seems to me to
32 get more frustrating. We're just trying to get our point of
33 view across to some of these people here. You know, I look at
34 them as people that we need to educate as Native people. And I
35 think sometimes we might sound like we're getting into big
36 arguments, and I hope that you're not perceiving it that way,
37 we're trying to get our views across. And I hope that -- you
38 know, people within this region would take a little more active
39 participation in this process here.

40
41 I really believe that we can make a difference. Even
42 though we may be an advisory committee, some of the things that
43 we have done before since I've been on this board has taken
44 effect. So even though we may sound like we're in arguments
45 here and not on the same wave length, we do try to get
46 something accomplished.

47
48 And the last thing I would like to say is that I've
49 been advocating to change the c&t findings. As you can tell

50 the process that we went through here is a very frustrating

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1 process to go through. It could be very easily simplified by
2 allowing the Native communities to map out their use areas on
3 the map and use that as a basis to determine customary and
4 traditional use areas rather than doing it the way we're doing
5 it now. The way we're doing it now, we're basing it on
6 species. And those animals, as we all know, don't just stay in
7 one place, they move around. So to me it just doesn't make
8 sense to base it on species. And I'm still trying to push for
9 it. So with that, I thank you again, very much.

10

11 CHAIRMAN FLEENER: Finally I'd like to say that again,
12 like each person has said, I'm very thankful for Tanana
13 treating us so nicely and the people that have provided the
14 food for us to eat. It makes it real nice and easy when we
15 don't have to go somewhere to eat when we're holding these
16 meetings and I really appreciate that.

17

18 I also would like to thank Judy Woods for her
19 hospitality in putting us up. I'm really happy to have found
20 out that I have relatives down here. And this lady guarding
21 the table back there is my cousin, so I'd like to say (In
22 Yup'ik), thank you to all my relatives. And I can say that now
23 that I've found a few of them. And I'm glad to see some old
24 friends that I worked with in the past.

25

26 And I just hope that this Council has met the needs of
27 the people in Tanana and if we haven't met your needs, make
28 sure you let us know, send us letters, telephone calls,
29 whatever it takes for us to accomplish the job of providing and
30 protecting subsistence uses for our users. That's our job.
31 And we won't know what to do unless you people tell us. So
32 everybody needs to get involved. If they have a problem send
33 us a letter or give us a call and let us know. I'd like to
34 encourage the adults in this town to encourage your children to
35 stay in school, possibly to encourage some of them to get
36 educations in the natural resource fields because if you look
37 around you there are very few natural resource people who are
38 Natives. And the only way we can really effectively change
39 what's going on in these national wildlife refuges and the
40 parks on BLM lands is if we have people working in those areas.
41 So I would encourage you to stay in school, to encourage your
42 kids to get degrees in this area. That's something that the
43 Native people will always be tied to and it will always be
44 important to us, is the land. Other things may pass away, you
45 know, construction jobs may pass away and heavy equipment
46 operator jobs may pass away, but the land will always be here.
47 So I encourage you to encourage your children to stay involved.

48

49 I'd like to thank and offer a blessing and praise to

50 our elders and say that I appreciate their leadership and I

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1 think that we should continue to hold them up and lift them up.
2 And also our chiefs that we have, we need to continue to lift
3 them up and support them and give them what they need so that
4 they can be effective leaders.

5
6 Like Steve was saying, a very important thing is our
7 tribal lands. I think that we need to -- each and every person
8 needs to start documenting the tribal lands in their own area.
9 You need to write down what -- the areas where you've
10 traditionally used. Like it's been pointed out several times,
11 these agencies require things to be on paper, so that's the
12 method we're going to have to use. Document your tribal lands,
13 your traditional tribal lands, not these checkerboards, we
14 don't live in six by six squares. So document your tribal
15 lands and document your traditional uses of resources in those
16 lands and continue to add to those and those will be effective
17 in making legislation in the future. As you see they're always
18 looking for proof of historic use and that's part of what we
19 need to document.

20
21 Finally I'd like to say that I'd like to encourage the
22 people here to write letters about this trapping issue. If we
23 don't get everybody that's interested in trapping writing
24 letters, then I don't think that it's going to be answered. I
25 don't think that we're going to get a favorable answer. I
26 think that we need to send hundreds and hundreds and hundreds
27 of letters on this trapping issue that has been brought up on
28 national wildlife refuges. You can bet your bottom dollar that
29 every flower sniffing posey kissing bunny hugging tree licker
30 is going to be sending letters in. So I just want to say that
31 everybody that is interested in trapping, if you're not going
32 to send letters, it's going to be taken away from you. So you
33 need to put your name on the bottom line and don't fill out one
34 letter and have everybody sign it, everybody do a letter, a
35 separate letter and send it in. And I would encourage you to
36 do that. And once again I say thank you.

37
38 MR. GINNIS: Mr. Chairman, I'll move to adjourn.

39
40 MR. TITUS: Second.

41
42 CHAIRMAN FLEENER: There's a motion to adjourn and it's
43 been seconded by Philip. Any discussion?

44
45 MR. GOOD: Question.

46
47 CHAIRMAN FLEENER: Questions been called. All in favor
48 of the motion signify by saying aye.

49

IN UNISON: Aye.

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1 CHAIRMAN FLEENER: All opposed.

2

3 (No opposing votes)

4

5 CHAIRMAN FLEENER: Nobody opposed this, gee. Thank

6 you.

7

8 (END OF PROCEEDING)

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10 * * * * *

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C E R T I F I C A T E

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UNITED STATES OF AMERICA)
)ss.
STATE OF ALASKA)

I, Joseph P. Kolasinski, Notary Public in and for the
State of Alaska and Reporter and Owner of Computer Matrix, do
hereby certify:

THAT the foregoing pages numbered 161 through 352
contain a full, true and correct Transcript of the Eastern
Interior Federal Subsistence Regional Advisory Council,
Volume II, meeting taken electronically by David Haynes on the
5th day of February, 1997, beginning at the hour of 8:30
o'clock a.m. at the Tanana Community Hall, Tanana, Alaska;

THAT the transcript is a true and correct transcript
requested to be transcribed and thereafter transcribed by me to
the best of my knowledge and ability;

THAT I am not an employee, attorney, or party
interested in any way in this action.

DATED at Anchorage, Alaska, this 14th day of February,
1997.

JOSEPH P. KOLASINSKI
Notary Public in and for Alaska
My Commission Expires: 04/17/00